

G. HAZARDS AND HAZARDOUS MATERIALS

This section describes existing and potential sources of environmental hazards and hazardous materials associated with the proposed project. Development of this project would create or expose residential receptors to various hazards associated with the existing agricultural and winery operations, electromagnetic fields, and wildland fire hazards.

1. Existing Conditions

a. Hazardous Materials

A hazardous material is defined by the California Environmental Protection Agency (CalEPA), Department of Toxic Substances Control (DTSC), as a material that poses a significant present or potential hazard to human health and safety or the environment if released because of its quantity, concentration, or physical or chemical characteristics (26 California Code of Regulations 25501). For the purposes of this analysis, hazardous materials include raw materials and hazardous waste includes waste generated by facilities and businesses or waste material remaining on-site as a result of past activities. Worker safety and public health are potentially at risk whenever hazardous materials are used or exposed. It is often helpful to distinguish between the “hazard” associated with these materials and the “risk” they pose to human health or the environment. A hazardous material has the potential to cause damage upon accident or incidental exposure. The risk of an event is determined by a combination of the probability of exposure to hazardous materials and the severity of consequences should exposure occur (California Office of Emergency Services [OES], 1989). The likelihood of exposure to a hazardous material coupled with its inherent hazardous properties determines the degree of risk to public health or the environment. To be of high risk, exposure to a hazardous material must be both likely and have negative consequences.

1) Agricultural Operations

Current agricultural operations on the project site do not utilize any Class I or Restricted Use Pesticides; however, daily operation of the vineyard does include the spraying of agricultural insecticides, fungicides, and fertilizers (refer to Appendix E). An air blast sprayer (30 gallons per acre) is utilized to disperse pesticides and fertilizers on wine grapes; this is applied between the hours of 9:00 p.m. and 7:00 a.m. During the peak spray season (March through August), two to four sprayers operate five nights a week. Weeds are controlled by sprayed herbicides, hand hoeing, livestock grazing, and mechanical removal. Hazardous materials are currently being used in the winery operations and are accounted for in the hazardous materials Business Plan and Emergency Response Plan submitted to the County Environmental Health Division.

2) Transportation of Hazardous Materials

The proposed project site is bisected by U.S. Highway 101, which is a major transportation route used to transport thousands of tons of hazardous materials through the County each year. According to the General Plan Safety Element, in the event of a hazardous materials release in San Luis Obispo County that occurs off of a state highway, the fire agency or jurisdiction where the release has occurred has incident command authority. For hazardous materials releases that occur on highways or other roadways that the California Highway Patrol (CHP) has jurisdiction over, the CHP will assume incident command authority (County “Safety Element” 102).

b. Electromagnetic Fields

Wherever electricity is used, electric and magnetic fields are present. Because there is a relationship between electric and magnetic fields they are often termed electromagnetic fields (EMF). Electric fields are created by voltage, and higher voltage produces stronger electric fields. Electric fields are measured in term of volts per meter (V/m) or kilovolts (1000 volts) per meter (kV/m).

Almost all household appliances create an electric field derived from the voltage on the appliance even when not in use, if the appliance is connected to an electrical supply. The intensity of the electric field is directly related to the amount of voltage flowing through a conductor and the distance from the source of the field. Electrical fields may be effectively shielded or blocked by objects such as earth, trees, or buildings.

Magnetic fields result from current flowing through wires from one place to another. Magnetic field intensity is measured in units referred to a "Gauss." Values are also reported in milliGauss (mG) (0.001 Gauss = 1 mG). The earth has a natural static magnetic field of approximately 0.05 Gauss or 500 mG at middle latitudes. Unlike electric fields, magnetic fields cannot be blocked by structures. The strength of a magnetic field depends on the amount of current flowing through, and the configuration of, the conductor(s) (County of San Luis Obispo [County], 1995).

According to the World Health Organization (WHO) website, it is not disputed that EMF above certain levels can trigger biological effects. Experiments with healthy volunteers indicate that short-term exposure at the levels present in the environment or in the home do not cause any apparent detrimental effects. Exposures to higher levels that might be harmful are restricted by national and international guidelines. The current debate is centered on whether long-term low-level exposure can evoke biological responses and influence people's well being (WHO, 2005).

1) Electric Transmission Lines

There is one high voltage, 230 kilovolt (kV) electric transmission line that traverses the project site (refer to Figure III-4). Various low voltage transmission lines are also present in order to provide power to onsite facilities and residences. Due to their high voltage and high EMF exposure potential, electric transmission and distribution lines are commonly identified as an EMF exposure source. The intensity of EMF created by power lines is dependent upon the line voltage, the height above the ground or the depth below the ground, electrical phasing configuration, and the distance from the line (County, 1999).

The WHO reports that electricity transmission and distribution facilities and residential wiring and appliances account for the background level of power frequency electric and magnetic fields in the home. Directly beneath power lines the fields are much stronger. Electric field levels underneath power lines can be as high as 10 kV/m. However, the fields (both electric and magnetic) drop off with distance from the lines. At 50 meters to 100 meters distance, the fields are normally at levels that are found in areas away from high voltage power lines. In addition, house walls substantially reduce the electric field levels from those found at similar locations outside the house (WHO, 2005).

2) Cellular Facilities

In November, 2000, a Sprint cellular facility was approved on the project site (County Permit Number D000190D). A proposal for two additional equipment cabinets was approved in March, 2003 (County Permit Number C4453).

According to the Federal Communications Commission (FCC), cellular facilities emit a form of electromagnetic radiation known as radio frequency (RF) energy or radiation. FCC rules require transmitting facilities to comply with RF exposure guidelines. The RF exposure guidelines established by the FCC are designed to protect the public health with a very large margin of safety. For all frequency ranges at which FCC licensees operate, Section 1.1310 of the FCC's rules establishes maximum permissible exposure (MPE) limits to which people may be exposed. These limits have been endorsed by federal health and safety agencies such as the Environmental Protection Agency (EPA) and the Food and Drug Administration. The FCC's rules have been upheld by a Federal Court of Appeals. According to the FCC, most facilities create maximum exposures that are only a small fraction of the limits. Moreover, the limits themselves are many times below levels that are generally accepted as having the potential to cause adverse health effects (FCC 1).

c. Wildland Fire Hazards

The project site is located in a predominantly rural setting, and would result in the development of residences adjacent to wildland open space areas. According the *General Plan Safety Element*, an area where urban development has been located in proximity to open space, or "wildland" areas, the term "urban/wildland interface" is commonly used. The most common type of urban/wildland interface results when urban development occurs on the fringe of existing urban areas, adjacent to wildland vegetation.

Fire hazard severity is determined by a number of factors including, but not limited to: remoteness of the area, denseness of vegetation, the area's circulation network, proximity to firefighting facilities, habitat type, and the degree of urbanization. These factors among others contribute to an area's overall response time. Figure V.G.-1 shows the fire hazard rating, and fire stations located in proximity to the project site. The proposed project, located off of Upper Los Berros Road, is in an area with "increased risk of wildfire-related hazards," as identified by the *General Plan Safety Element*. The Upper Los Berros Road area has limited access, is isolated, and has dense vegetation and an increasing number of residences.

The California Department of Forestry and Fire Protection/San Luis Obispo County Fire Department (CAL FIRE), provides fire protection, emergency medical, and rescue services to the unincorporated areas of the County. A description of emergency services is provided in Section V.L., Public Services and Utilities.

2. Regulatory Setting

Applicable regulations and policies considered relevant to the proposed project are summarized below.

a. Hazardous Materials

1) Federal Policies and Regulations

(a) Risk Management Program Rule (RMP Rule)

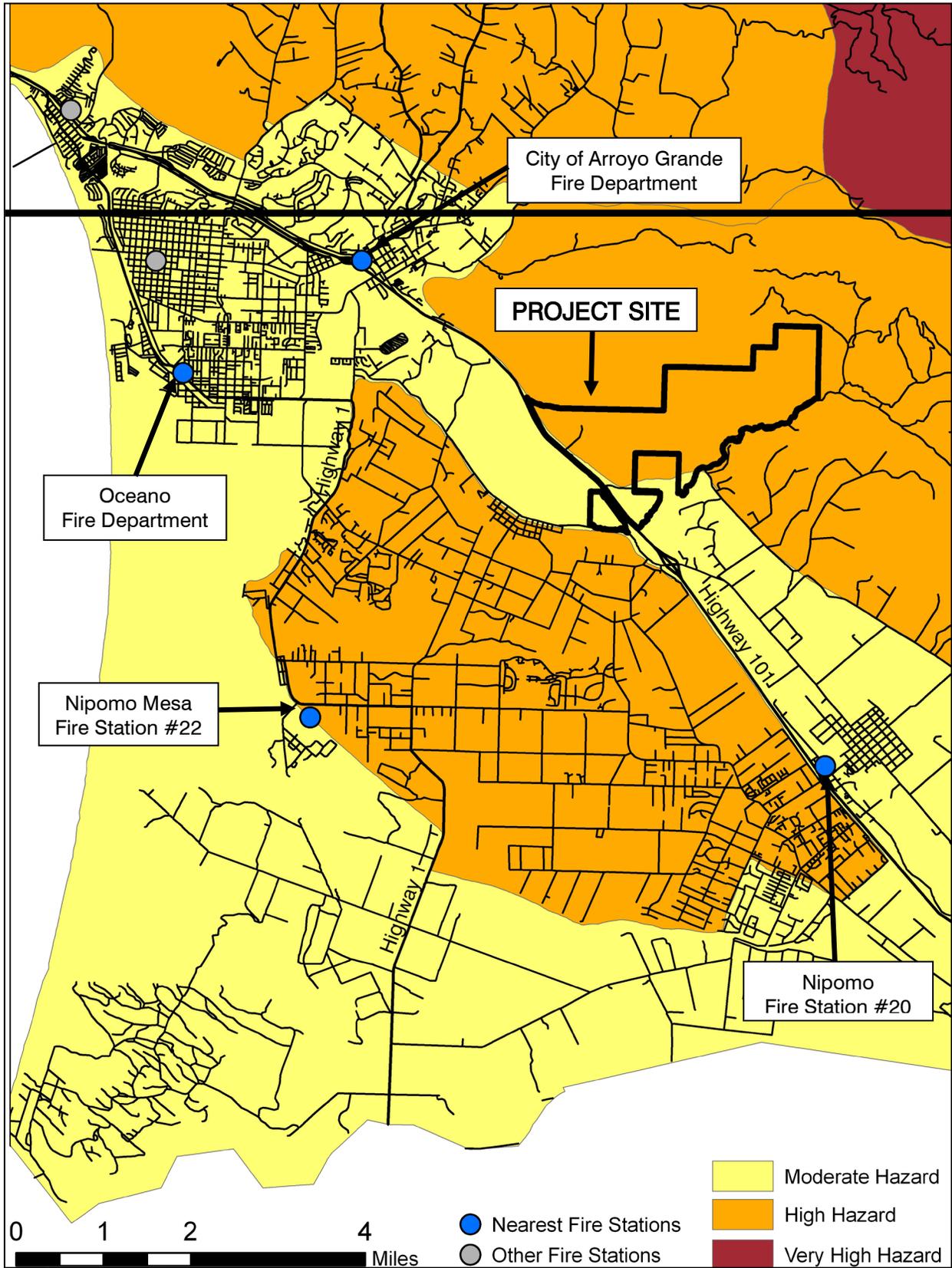
The RMP Rule was written to implement Section 112(r) of the Clean Air Act Amendments of 1990. The Amendments required the EPA to publish regulations and guidance for chemical accident prevention at facilities using extremely hazardous substances. The rule, which built on existing industry codes and standards, requires companies of all sizes that use certain flammable and toxic substances to develop a Risk Management Program (RMP), which includes:

- Hazard assessment that details the potential effects of an accidental release, an accident history of the last five years, and an evaluation of worst-case and alternative accidental releases;
- Prevention program that includes safety precautions and maintenance, monitoring, and employee training measures; and
- Emergency response program that spells out emergency health care, employee training measures, and procedures for informing the public and response agencies (e.g., the fire department) should an accident occur.

According to the RMP Rule, every facility that handles hazardous substances exceeding the threshold quantities has to submit a summary of the facility's RMP to the EPA. The RMP must be revised and resubmitted every five years. The intent of the RMP is to reduce chemical risk at the local level. This information helps local fire, police, and emergency response personnel (who must prepare for and respond to chemical accidents), and is useful to citizens in understanding the chemical hazards within their community. The EPA anticipates that making the RMPs available to the public stimulates communication between industry and the public to improve accident prevention and emergency response practices at the local level.

2) State Policies and Regulations

California regulations are equal to or more stringent than federal regulations. EPA has granted the State primary oversight responsibility to administer and enforce hazardous waste management programs. State regulations require planning and management to ensure that hazardous wastes are handled, stored, and disposed of properly to reduce risks to human health and the environment. In California, DTSC, a branch of CalEPA, works in conjunction with or in lieu of the EPA to enforce and implement specific hazardous materials laws and regulations. California has enacted its own legislation pertaining to the management of hazardous materials. The California legislation for which the DTSC has primary enforcement authority are the Hazardous Waste Control Act, a statute that primarily regulates the management of hazardous waste, and the Hazardous Substance Account Act, a statute that governs the cleanup of contaminated property and is modeled after CERCLA. Title 22 of the CCR, enacted pursuant to the Hazardous Waste Control Act, establishes criteria for identifying hazardous wastes and presents hazardous waste management requirements. These regulations are reprinted in Title 26, Toxics, of the CCR. The DTSC acts as the Lead Agency for some soil and groundwater cleanup projects. For sites where water quality is potentially endangered, the DTSC consults with the Regional Water Quality Control Board (RWQCB) on technical and regulatory issues. Several key laws pertaining to hazardous wastes are discussed below.



NORTH
Scale as Shown

Nearest Cal Fire/County Fire Stations
FIGURE V.G.-1

(b) Hazardous Materials Release Response Plans and Inventory Act of 1985

The Hazardous Materials Release Response Plans and Inventory Act, also known as the Business Plan Act, requires businesses using hazardous materials to prepare a plan that describes their facilities, inventories, emergency response plans, and training programs. Hazardous materials are defined as raw or unused materials that are part of a process or manufacturing step. They are not considered to be hazardous waste. Health concerns pertaining to the release of hazardous materials, however, are similar to those relating to hazardous waste.

(c) Emergency Services Act

Under the Emergency Services Act, the state developed an emergency response plan to coordinate emergency services provided by federal, state, and local agencies. Rapid response to incidents involving hazardous materials or hazardous waste is an important part of the plan, which is administered by the California OES. The office coordinates the responses of other agencies, including EPA, the CHP, RWQCBs, air quality management districts, and county disaster response offices.

3) Local Policies and Regulations

Pursuant to State law and local ordinance, the Division of Environmental Health of the County of San Luis Obispo Health Agency conducts inspections to ensure proper handling, storage, and disposal of hazardous materials and proper remediation of contaminated sites. In addition, information collected under the Business Plan Act is collected and certified by the County Environmental Health Department for emergency response purposes.

The County OES is an emergency management agency with responsibilities that include coordination of emergency and disaster preparedness planning, response, and recovery with and between local, state, and federal agencies. To address the potential for an uncontrolled hazardous material release in San Luis Obispo County, and to ensure that adequate resources are available to respond to a significant hazardous materials release, the County OES has prepared a *Hazardous Materials Emergency Response Plan* (1994).

b. Electromagnetic Fields

The California Public Utilities Commission (CPUC) regulates privately owned electric and telecommunications facilities. In general, utility companies must patrol (walk, drive, or fly by) their systems once a year (in urban areas) or once every two years (in rural areas). Utility companies must conduct detailed inspections every three to five years, depending on the type of equipment. For detailed inspections, utility companies' records must specify the condition of inspected equipment, any problems found, and a scheduled date for corrective action. Effective July 1, 1998, the utility companies must submit an annual report summarizing inspections made, equipment condition observed, and repairs made. Utility companies are required to make intrusive inspections of power poles (including taking samples for analysis) every ten years (if not previously inspected) or every 20 years (CPUC, 2005).

The FCC is required by the National Environmental Policy Act (NEPA) of 1969 to evaluate the effect of emissions from FCC-regulated transmitters on the quality of the human environment.

At the present time there is no federally mandated RF exposure standard. However, several non-government organizations, such as the American National Standards Institute (ANSI), the Institute of Electrical and Electronics Engineers, Inc. (IEEE), and the National Council on Radiation Protection and Measurements (NCRP) have issued recommendations for human exposure to RF electromagnetic fields. In Docket 93-62, effective October 15, 1997, the FCC adopted the human exposure limits for field strength and power density recommended in Report No. 86, “Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields,” published in 1986 by the Congressionally-chartered National Council on Radiation Protection and Measurements (NCRP). Separate exposure limits apply for occupational and public exposure conditions, with the latter limits generally five times more restrictive. The more recent Institute of Electrical and Electronics Engineers (IEEE) Standard C95.1-1999, “Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz,” includes nearly identical exposure limits. These limits apply for continuous exposures and are intended to provide a prudent margin of safety for all persons regardless of age, gender, size, or health.

c. Wildland Fire Hazards

The California Public Resources Code (PRC) defines hazardous fire areas, restrictions on fire use, and minimum fire protection requirements for the state. The Code is administered by the CAL FIRE. The PRC also sets forth provisions for the reduction of fire hazards around buildings located on land that is covered with flammable material. A firebreak of at least 30 feet is required to be maintained around buildings by removing all flammable vegetation or combustible growth. Wider firebreaks may be required under extra-hazardous conditions. Firebreak clearance is also required around electrical transmission poles and towers.

In addition to the PRC, several local ordinances direct fire prevention activities within the county. Section 22.50 of the County Land Use Ordinance (LUO) is devoted entirely to fire safety and includes standards pertaining to the preparation and review of fire safety plans, fire safety standards, site access, and driveway requirements.

3. Thresholds of Significance

As defined in the CEQA Guidelines, Appendix G, and the County of San Luis Obispo Initial Study Checklist, hazards and hazardous materials impacts would be considered significant if the project would:

- Create a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials;
- Result in the risk of explosion or release of hazardous substances (i.e., oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances;
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or planned school;
- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment;
- Expose people to a safety risk associated with an airport flight pattern;

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

4. Impact Assessment and Methodology

The EIR impact analysis focuses on potential health risks associated with the proposed project, particularly from surrounding land uses where the potential for hazardous materials release could be encountered and affect the project site. Potential public safety concerns associated with wildland fires are also addressed. Methodology for assessing the proposed project includes a review of existing regulatory plans and policies to determine the proposed project's consistency with these documents. If the proposed project has been determined to be inconsistent with any regulatory plan or policy, significant impacts have been identified if the inconsistency would result in environmental impacts (i.e., exposure of people to hazardous materials).

5. Project-specific Impacts and Mitigation Measures

a. Project-wide

1) Hazardous Materials Use, Storage, and Transportation

(a) Hazardous Materials Use in Agricultural Operations

Operation of the vineyard requires the use of legal pesticides and fertilizers. The County Agriculture Department recommends buffers between residential and agricultural land uses to minimize the potential for land use conflicts, including exposure to potentially hazardous materials. Pesticides and fertilizers can travel by air, or by irrigation run-off waters, and tend to settle in low-lying areas. As discussed in Section V.B., Agricultural Resources, of this EIR, the proposed site design does not incorporate adequate buffers, resulting in potential exposure to agricultural hazardous materials. Please refer to Section V.B. for a complete discussion of this potential impact.

(b) Hazardous Material Use in Winery Operations

The use of hazardous materials onsite is documented in an existing Business Plan and Emergency Response Plan, which is on file with the County Health Department and required to be updated every three years. The hazardous materials that would be used under the proposed project are currently in use at the existing facility and significant increases in quantities are not expected. The existing regulation would address any incremental increases. Implementation of the proposed project does not include any modifications to the existing winery. No significant impacts are anticipated and mitigation measures are not warranted.

(c) Transportation of Hazardous Materials

The existing facilities onsite are currently operating in compliance with State regulations regarding the transportation of hazardous materials. The quantities of hazardous material that would be transported for the proposed project would not increase significantly. It is expected that these hazardous materials would continue to be transported in compliance with state and

federal regulations. No significant impacts are anticipated and mitigation measures are not warranted.

(d) Hazardous Materials Related to Wastewater Treatment

Proposed treatment chemicals would include anhydrous ammonia for pH adjustment in the winery process wastewater system, and liquid sodium hypochlorite for disinfection of treated domestic wastewater. Up to three 150 pound cylinders of ammonia and 150 gallons of chlorine bleach would be stored onsite. The bleach would be stored in a double-containment system, and the second tank would be sized to accommodate 150 gallons of liquid. The applicant estimates that chemicals would need to be re-stocked every two to four weeks. In addition, up to 200 gallons of diesel fuel would be stored within a tank adjacent to the main building generator unit.

Accidental releases of hazardous materials used on-site during operation of the wastewater treatment plant (i.e., fuels, lubricants, and disinfecting compounds such as chlorine) would have the potential to adversely affect onsite workers, public health, and/or the environment. Spillage of fuels or chemicals could result in a threat of fire or explosion or other situations that may pose a threat to human health and/or the environment. Releases could occur as a result of vehicular accidents, equipment malfunction, or improper storage. The Environmental Health Services Division of the County of San Luis Obispo Public Health Department requires a Hazardous Materials Business Plan for operation of the wastewater treatment plant. Implementation of this standard requirement would minimize the potential for adverse effects resulting from the storage and use of hazardous materials.

HM Impact 1 Release of hazardous or flammable materials during operation of the wastewater ~~operation~~treatment facility could pose risks of fire or site contamination.

HM/mm-1 Prior to approval of subdivision public improvement plans or grading permit issuance, the applicant shall complete and submit a Hazardous Materials Business Plan, or a Business Plan Exemption form, to the County of San Luis Obispo Department of Public Health, Environmental Health Division. As a component of the Hazardous Materials Business Plan, detailed procedures for handling and storage of hazardous materials used on site, and response to emergency or accidental releases of hazardous materials used on site shall be included.

Residual Impact With the submittal of a Hazardous Materials Business Plan, potential impacts would be considered *less than significant with mitigation, Class II*.

2) Electromagnetic Fields

(a) Electric Transmission Lines

There is one high voltage, 230 kilovolt (kV) electric transmission line that traverses the project site (refer to Figure III-4). Various low voltage transmission lines are also present in order to provide power to onsite facilities and residences. The EPA reports that a person standing under a typical 230 kV power transmission line is likely to be at least 20 or more feet away from the line, depending on its height above the ground. Under these conditions, the magnetic field under the

line is likely less than 120 mG. One hundred feet away, the magnetic field strength drops to approximately 15 mG, and 300 feet away the field is likely less than two mG. The actual strength of the magnetic field will vary depending on the current moving through the line, as magnetic fields will be higher during times of peak electricity usage. Based on a graph of electric field strengths provided from the Southern California Edison Company, and not scientific research data, the California Department of Education has adopted limits for locating school sites near high voltage power transmission line easements (Merritt, 1994). The adopted setbacks are listed below:

- 100 feet from the edge of easement for 50-133 kV lines;
- 150 feet from the edge of easement for 220-230 kV lines; and,
- 350 feet from the edge of easement for 500-550 kV lines.

At this time, the evidence of potential health hazards from the delivery and usage of electric power is incomplete and inconclusive. A substantial amount of research has been conducted; however, more is needed to answer the many questions and uncertainties that must be resolved to formulate sound public policy. Therefore, in accordance with the goals and policies of the County *Safety Element*, the County is adopting a “prudent avoidance” strategy until the necessary information is available to make informed decisions about exposure to EMFs. With respect to the proposed project, “prudent avoidance” means adopting measures to avoid EMF exposures when it is reasonable, practical, relatively inexpensive, and simple to do so. This may mean recommending mitigation measures that minimize EMF exposure near sensitive areas, minimizing the creation of new EMF fields in areas with existing high exposures, informing citizens of projected EMF strengths during the design or environmental review phases for new substations, transmission and distribution lines, and limiting public exposure to EMFs in siting new substations and transmission/distribution lines when practical alternatives exist.

Based on the current design of the proposed project, development of residential lots ~~and the proposed equestrian facility~~ are located at a distance that follows the recommendations used by the California Department of Education which include a 150-foot setback from the edge of the utility easement. No impacts are anticipated and mitigation measures are not warranted.

(b) Cellular Facilities

A RF report was prepared to evaluate the Sprint cellular communications facility located onsite for compliance with appropriate guidelines limiting human exposure to radio frequency electromagnetic fields. In order to determine the effects of RF signals, several important factors must be considered, including, the frequency of the RF signal being transmitted; the operating power of the transmitting station and what is the actual power radiated from the antenna; the length of exposure to the RF signal at a given distance from the antenna; and, the exposure from any other antennas located in the area. The RF report, prepared by Hammett and Edison (May 2001), concluded that the maximum ambient RF level anywhere at ground level due to the Sprint cellular facility by itself is 0.047 percent of the applicable public exposure limit per the FCC established guidelines. Therefore, no impacts are anticipated and mitigation measures are not warranted.

3) Wildland Fire Hazards

The project site is located within a high fire hazard area, and is served by CAL FIRE. The closest fire station is located in the community of Nipomo, and estimated response time to the western boundary of the project site is ten minutes (Robert Lewin, 2004). Response time to lots proposed within the eastern portion of the property would exceed ten minutes, and would require access via Upper Los Berros Road or internal roads through the project site. The project site is surrounded by wildland, and proposed structures could be exposed to significant fire hazards. When residential development occurs within or adjacent to an area that has a high wildfire hazard severity, the ability of firefighting forces to combat a fire may be impaired. Specifically, when residences are located in the vicinity of wildfire, typical wildfire fighting techniques, such as the use of backfires, may not be possible. Further, firefighting equipment and personnel may be used for the protection of structures, instead of being used to fight the fire. This results in the need for additional equipment to effectively minimize structural losses and control the fire (County of San Luis Obispo, 1999).

The applicant is required to comply with standard regulations, pursuant to the Uniform Fire Code and CAL FIRE protection standards, including but not limited to access requirements, fire flow, and flammable vegetation clearance. The proposed *Agriculture Management and Buffer Plan* includes a fire protection and public safety plan. Fire prevention planning measures listed in the document include installation of fire sprinklers on all residences and occupied structures, use of flame resistant/non-combustible roof materials, individual lot fire safety plans, and preparation and implementation of a fuel modification plan. Public safety measures include stop signs and gates on Upper Los Berros Road and posted speed limits. The plan also includes basic guidance regarding sharing roads with agricultural traffic and home security measures. The applicant is required to submit a Residential Fire Safety Plan and Fire Safety Plans for the proposed ~~equestrian facility and~~ ranch headquarters.

Based on the proposed project design, primary access would be via Upper Los Berros Road. Pursuant to CAL FIRE regulations, the maximum length of any dead-end road serving the proposed parcels is 1,320 feet. As designed, the proposed project includes two main access roads, and fourteen minor access roads. Primary access would be via Main Road 1, which connects with both Upper Los Berros Road and Laetitia Vineyard Drive. Secondary access is proposed via Laetitia Vineyard Drive, which connects with Highway 101 at an existing at-grade intersection, and currently serves as the entrance driveway to the winery and tasting room facility. The applicant proposes to install a “crash-gate” on Main Road 1/Laetitia Vineyard Drive, northeast of the existing winery. The gate would prohibit eastbound traffic from entering the residential subdivision from Laetitia Vineyard Drive. Based on consultation with CAL FIRE (Rob Lewin, 2007), and as noted above, the gate is required to open automatically to allow immediate exit from the subdivision. The gate is also required to include a battery back-up and KNOX box to allow entrance by CAL FIRE and other emergency vehicles.

Many of the access roads are dead-end roads, or form a loop. Proposed Access Roads A, I, and K within Phase One would exceed the allowable road length of 1,320 feet as measured from Main Road 1, which would be inconsistent with CAL FIRE requirements. Access Road A provides access to Residential Lots 4 through 10, and 16 through 23; this road would be a loop, measuring approximately 1,575 at the mid-point, as measured from Main Road 1. Access Road K extends from Access Road A, and provides access to Residential Lots 11 through 15; this road

ends in a cul-de-sac, and measures approximately 2,800 feet in length from Main Road 1. In order to meet the 1,320 maximum road length requirement, proposed lots located beyond the threshold need to be eliminated, including Lots 9 through 17.

HM Impact 2 **The proposed project is inconsistent with CAL FIRE requirements for maximum road lengths, which may result in a significant fire hazard.**

HM/mm-2 At the time of application for subdivision improvement plans or grading permits, the applicant shall submit an access plan showing secondary access at Laetitia Vineyard Drive. Crash gates shall not be allowed. Proposed gates shall open automatically upon approach. Potential access control measures could include, but not be limited to, a gate controlled by opticom transmitters and detectors, a gate that does not open to allow east-bound ingress of non-emergency vehicles, use of a “KNOX” box to permit emergency vehicle access, and signage. No occupancy shall occur until all improvements are completed. A 24-hour per day, 7 days per week, 365 days per year guard will be stationed at the access control point on Laetitia Vineyard Drive.

HM/mm-3 At the time of application for subdivision improvement plans or grading permits, the applicant shall submit a revised tract map showing the elimination of Lots 9 through 17 or reconstruction of Access Road A to meet CAL FIRE standards.

Secondary Impact Compliance with CAL FIRE requirements would include the use of Laetitia Vineyard Drive for secondary access. The applicant proposes to implement crash gate and install signage to discourage non-emergency use of Laetitia Vineyard Drive for ingress and egress between the residential area and Highway 101. CAL FIRE does not permit the use of a crash gate, and recommends a “no-notice” gate that will open automatically upon approach to allow free-flow egress from the residential area onto Laetitia Vineyard Drive. As discussed in Section V.N. (Transportation and Circulation), the existing at-grade intersection at Laetitia Vineyard Drive and Highway 101 operates at LOS F, and has a documented history of traffic collisions. Based on consultation with Caltrans, the generation of any non-emergency traffic trips at the Highway 101/Laetitia Vineyard Drive intersection would result in a *significant and unavoidable, Class I* impact.

Residual Impact Mitigation measures include recommendations to modify the proposed project design, including elimination of lots that would be located at a distance exceeding CAL FIRE requirements for dead-end roads, and/or redesigning roads to meet CAL FIRE requirements. Implementation of these measures would mitigate potentially significant adverse fire safety impacts; however, the County cannot include design changes to a tentative

map as conditions of approval. Therefore, this impact is considered *significant and unavoidable, Class I*.

b. Future Development

1) Dude Ranch

The proposed future development of the Dude Ranch would include a 75-unit lodging facility, guest service and spa facility, eating facility, classrooms, outdoor fire pit, and barbeque. Due to the increased presence of humans within a high wildfire severity area, and given the activities to occur within the 7.7 acre-Dude Ranch, there would be a significant increased potential for wildland fires. Constraints related to this use include access, emergency response time, and proximity to wildlands and densely vegetated canyons. Proposed access to the dude ranch is inconsistent with CAL FIRE requirements for maximum road lengths (5,280 feet for parcels over 20 acres in size), which may result in a significant fire hazard (refer to HM Impact 2). Upon submittal of a land use application for the dude ranch, the applicant is required to demonstrate compliance with CAL FIRE/PRC regulations.

HM Impact 3 **The future development of the dude ranch would increase the potential for and exposure of guests to wildland fires, resulting in a potentially significant impact.**

HM/mm-4 Upon application for a land use permit for the dude ranch, the applicant shall submit plans demonstrating compliance with the Uniform Fire Code and CAL FIRE requirements, including, but not limited to vegetative fuel management, water storage for fire suppression, and use of non-flammable building materials.

Residual Impact Based on compliance with standard construction and operational standards required by CAL FIRE, potential wildfire impacts associated with the future development of the dude ranch would be considered *less than significant with mitigation, Class II*.

6. Cumulative Impacts

Development identified in the cumulative development scenario would result in the increased use and/or transport of hazardous materials in the area and the potential exposure of an increase population to these materials. Potential hazards and use of hazardous materials are location-specific to the extent that they may result in significant impacts on the localized environment, but they are not “cumulative” in the sense normally applied in CEQA documents. Therefore, the cumulative impacts related to these issues and mitigation measures that have been previously identified for the development project would apply cumulatively as well. CAL FIRE regulations apply to all projects within unincorporated areas of the County. Cumulative development increases the demand for fire protection; this impact is discussed further in Section V.L., Public Services and Utilities.

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