

3.8 Hazards and Hazardous Materials

3.8.1 Introduction

This section evaluates the potential for the project to result in adverse impacts related to hazards and hazardous materials. The analysis is based on review of available reports and maps of the project area and vicinity and on a discussion of potential project impacts and appropriate mitigation measures, as necessary.

3.8.2 Scoping Comments

Comments related to hazards and hazardous materials impacts were received during the public scoping process. These comments and the location where they are addressed in the hazards and hazardous materials analysis are provided in Table 3.8-1.

Table 3.8-1 Hazards and Hazardous Materials Scoping Comments

Agency/Entity	Comment	Location in Hazards and Hazardous Materials Section that Comment is Addressed
Town of Ross	Mechanisms and procedures to keep the public safe during high water events.	Section 3.8.7, Impact 3.8-4
Garril Page	The proposed side path, and steps to the creek invite access by the public. This creates dangerous conditions for unsuspecting people unaware that flows in the project area are forceful enough to transport an 18-inch boulder past the College of Marin into the downstream, natural channel. The unwary are not afraid of the creek: a Kentfield resident drowned in the channel. During flood conditions, small watercraft and surfboards are in use along Berens Drive and at the Bon Air Center.	Section 3.8.7, Impact 3.8-4
Garril Page	Where there are new flood walls, potential to trap people behind those walls with flood waters. Liability potentially increased by people being close to the creek.	Section 3.8.7, Impact 3.8-4
Barbara Salzman	This is a great project, and I think getting rid of the concrete wall would be an incredible benefit. Surprised about steps down to the creek. Do not like the idea of creek access. Not clear where that will be. Increases county liability and it isn't good for the resources.	Section 3.8.7, Impact 3.8-4
Elizabeth Robbins	Safety is a big problem with this project. Don't want people going into the creek during a storm. Dangerous creek when there is a lot of rain. Concerned about steps down to creek and not fencing off water. Puts people up close to rapidly flowing water.	Section 3.8.7, Impact 3.8-4
Pam	Hopes that the project will not remove fences at the back of the property in cement area so that people do not get pulled in during a flood. If someone falls in they will be dead – too fast moving and rapid water.	Section 3.8.7, Impact 3.8-4

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3.8.3 Definitions

Hazardous Materials

Hazardous materials are chemical and non-chemical substances that can pose a threat to the environment or human health if misused or released. Explosives, flammable and combustible substances, poisons, radioactive materials, pesticides, petroleum products, and other materials under the Resource Conservation and Recovery Act (RCRA) in 40 Code of Federal Regulations (CFR) 261 are considered hazardous materials. These substances are most often released during motor vehicle or equipment accidents or chemical accidents during industrial use. Hazardous substances have the potential to leach into soils, surface water, and groundwater if they are not properly contained.

Wildland Fire

A wildland fire is any non-structure fire that occurs in vegetation or natural fuels. Wildland fires include prescribed burns and wildfires. Wildfire is defined as a wildland fire originating from an unplanned ignition, such as lightning, volcanos, unauthorized and accidental human-caused fires, and prescribed fires that are declared wildfires (National Wildfire Coordinating Group, 2018). A fire can burn exclusively along the forest floor, climb and consume the tree crown of an individual tree, or reach into and spread through the tree canopy.

Biotic and abiotic factors influence fires. Biotic factors that influence flammability of a forest include moisture content in the foliage; size and shape of leaves; retention of dead leaves and branches; spatial arrangement of flammable vegetation; and presence of flammable oils, resins, or other chemicals in leaves or branches. Shrubs and vines can act as fuel ladders, allowing a surface wildfire to travel up into the tree canopy. Dense forests with minimal horizontal separation between trees can spread flames more quickly (Doran, Randall, & Long, 2004).

Abiotic factors include climate (dry or humid), winds, weather conditions, and topography. Fire spreads more quickly during high-wind events and can also create their own wind patterns if they grow large enough. Fires in California are more likely to occur on hot, dry days most often in the summer or fall during periods of low precipitation. Slope, aspect, elevation, forest density, and large topographic features such as rock outcroppings influence fire spread; for example, fires tend to spread faster up a slope than down a slope.

3.8.4 Environmental Setting

Hazardous Materials and Sites

The presence of suspected contamination in and near the project area was identified using the SWRCB GeoTracker and the Department of Toxic Substances Control's (DTSC) EnvriroStor

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database. Four sites were identified within 0.25 mile¹ of the project area in the database search (Table 3.8-2). All sites require no further action and are now closed.

Table 3.8-2 Hazardous Sites Within 0.25 Mile of Project Area

Site Name and Address	Approximate Distance and Direction from Project Area	Affected Medium	Site Type	Status
College of Marin – former gas station College Avenue and Sir Francis Drake Boulevard, Kentfield, CA 94904	900 feet northeast of the intersection of Units 2 and 3	Soil	EPA LUST cleanup site	Closed
College of Marin Kentfield Campus 835 College Avenue, Kentfield, CA 94904	870 feet west of the low channel concrete	Soil	EPA LUST cleanup site	Closed
PG&E Former Substation – Kentfield 925-929 Sir Francis Drake Boulevard, Kentfield	200 feet north of Unit 2	Soil	EPA cleanup program site	Closed
United Moving Inc 1023 Magnolia Avenue, Larkspur	900 feet southwest of Unit 2	Soil	EPA LUST cleanup site	Closed

LUST = Leaking Underground Storage Tank

Sources: (DTSC, 2020; SWRCB, 2020)

Schools

Schools located within 0.25 mile of the project area include the following:

- College of Marin, adjacent to Units 2 and 3
- Kent Middle School, adjacent to Unit 2
- Ross Elementary, west of Unit 4

Airports

The closest airports to the project area are Marin Ranch and San Rafael Airports, both located approximately 4 miles northeast of the project area.

¹ Analysis under CEQA requires assessment of whether a project would be located on a hazardous materials site, as defined under Gov. Code section 65962.5. A 0.25-mile buffer is a typical distance to use to identify the presence of contaminants in off-site groundwater that may have the potential to migrate to a given site. Off-site properties with groundwater contamination greater than 0.25 mile away are assessed to not have the potential to impact a given site. Off-site properties with soil contamination generally are only dismissed from further consideration because soil contamination remains in place.

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Emergency Response and Evacuation Plans

Marin County

Marin County maintains an Emergency Operations Plan that is intended to provide adequate preparation and agency response to natural or human-caused disasters that threaten the health or property of residents and businesses (Marin County, 2007). The plan describes how emergency management will be coordinated; identifies personnel responsibilities and actions necessary to protect health and safety, property, and the environment; and details procedures before, during, and after a major event.

Town of Ross

The Town of Ross Emergency Operations Plan addresses the planned response to extraordinary emergency situations associated with disaster affecting Ross. The plan establishes the emergency-management organization required to mitigate any significant emergency or disaster affecting Ross and the overall operational concepts associated with the Town of Ross Emergency Operations Center activities and recovery process (Town of Ross, 2013).

Wildfire

Wildland fires tend to be most common and severe during years of drought and occur on days of strong winds. With extensive urbanization of wildlands, these fires often involve destruction of suburban homes located in the wildland–urban intermix. The Town of Ross and Kentfield are listed as wildland–urban interface communities but are not within the very high fire hazard severity zones (VHFHSZ) (FIRESafe MARIN, 2020; CAL FIRE, 2008). Within the project area, Unit 4 represents the greatest risk of fire due to its dense vegetation and topography; however, no fires have occurred within Unit 4 in recent years (USACE, 2018).

3.8.5 Regulatory Setting

The following laws, statutes, regulations, codes, and policies would apply to the project.

Federal Regulations

Resource Conservation and Recovery Act of 1976, Toxic Substances Control Act of 1976, and Hazardous and Solid Waste Act of 1984

Implementation of the Resource Conservation and Recovery Act (RCRA) of 1976 and the Toxic Substances Control Act (TSCA) of 1976 resulted in the creation of a major federal hazardous-waste regulatory program that is administered by the United States Environmental Protection Agency (USEPA). The USEPA regulates the generation, transportation, treatment, storage, and disposal of hazardous waste. Under the RCRA, a waste may be considered hazardous if it exhibits certain hazardous characteristics (ignitability, corrosivity, reactivity, or toxicity) or if it is included on a specific list of wastes that the USEPA has determined are hazardous. In accordance with the RCRA, any generator, transporter, or facility that treats, stores, or disposes of hazardous waste is required to ensure that the waste is properly managed from “cradle to grave” by complying with the federal waste-manifest system and other

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regulations regarding hazardous waste identification, classification, generation, management and disposal.²

U.S. Department of Transportation Hazardous Materials Transport Act of 1974

The U.S. Department of Transportation (USDOT), in conjunction with the USEPA, is responsible for enforcement and implementation of federal laws and regulations pertaining to transportation of hazardous materials. The Hazardous Materials Transportation Act of 1974 directs the U.S. Department of Transportation to establish criteria and regulations regarding the safe storage and transportation of hazardous materials. CFR 49, 171–180, regulates the transportation of hazardous materials, types of material defined as hazardous, and the marking of vehicles transporting hazardous materials.

Occupational Safety and Health Act of 1970

The Occupational Safety and Health Act (OSHA) was passed to address employee safety in the workplace. The act created the Occupational Safety and Health Administration (OSHA), whose mission is to ensure the safety and health of America's workers by setting and enforcing standards; providing training, outreach, and education; establishing partnerships; and encouraging continual improvement in workplace safety and health. The OSHA staff establishes and enforces protective standards and reaches out to employers and employees through technical assistance and consultation programs. Some OSHA regulations contain standards related to hazardous materials handling, including workplace conditions, employee protections requirements, first aid, and fire protection. The regulations in 29 CFR et seq. include the following:

1. Part 1910.38 requires facilities to have an emergency action plan to ensure the safe response to emergencies.
2. Part 1910.119 contains requirements for preventing or minimizing the consequences of catastrophic releases of toxic, reactive, flammable, or explosive chemicals that may result in toxic, fire, or explosion hazards.
3. Part 1910.1200 ensures that the hazards of all chemicals produced or imported are classified and that information concerning the classified hazards is transmitted to employers and employees. The transmittal of information is to be accomplished by means of comprehensive hazard communication programs, which are to include container labeling and other forms of warning, safety data sheets, and employee training.

State Regulations

Hazardous Materials Release Response Plans and Inventory Act

The Hazardous Materials Release Response Plans and Inventory Act of 1985, codified in Health and Safety Code, Sections 25500 et seq., also known as the Business Plan Act, requires

² Code of Federal Regulations, Title 40 – Protection of Environment, Parts 260-273.

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businesses using hazardous materials of greater than 55 gallons of a liquid, 200 cubic feet of a gas, or 500 pounds of a solid to prepare a Hazardous Materials Business Plan (HMBP) that describes their facilities, inventories, emergency response plans, and training programs. HMBPs contain basic information on the location, type, quantity, and health risks of hazardous materials stored, used, or disposed of. This code and the related regulations in Title 19, California Code of Regulations (CCR), Sections 2620 et seq., require local governments to regulate local-business storage of hazardous materials in excess of certain quantities. The law also requires that entities storing hazardous materials be prepared to respond to releases. Those using and storing hazardous materials are required to submit a HMBP to their local Certified Unified Program Agency (CUPA) (see more below under the Unified Program) and to report releases to their CUPA and the State Office of Emergency Services. The California Office of Emergency Services is responsible for implementing the accident prevention and emergency response programs established under the Act and implementing regulations.

Hazardous Waste Control Act

The Hazardous Waste Control Act of 1972, codified in Health and Safety Code Sections 25100 et seq., created the State hazardous-waste management program, which is similar to but more stringent than the federal RCRA program. The Act is implemented by regulations contained in CCR Title 26, which describes the following required aspects for the proper management of hazardous waste: identification and classification; generation and transportation; design and permitting of recycling treatment, storage and disposal facilities; operation of facilities and staff training; and closure of facilities and liability requirements. These regulations list more than 800 materials that may be hazardous and establish criteria for identifying, packaging, and disposing of such waste. Under the Hazardous Waste Control Act and Title 26, the generator of hazardous waste must complete a manifest that accompanies the waste from generator to transporter to the ultimate disposal location. Copies of the manifest must be filed with DTSC.

Unified Hazardous Waste and Hazardous Materials Management Regulatory Program

The Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (Unified Program), codified in Health and Safety Code Sections 25404 et seq., requires the administrative consolidation of six hazardous materials and waste programs under one agency, a CUPA. The Unified Program is implemented at the local government level by CUPAs. Most CUPAs have been established as a function of a local environmental health or fire department. The Marin County Department of Public Works is the CUPA for all of Marin County, including the Town of Ross and unincorporated Kentfield. Most of the previously described regulations are under the jurisdiction of the Marin County CUPA.

California Occupational Safety and Health Act

The California Occupational Safety and Health Act of 1973, codified in the California Labor Code, Sections 6300 et seq., addresses California employee working conditions, enables the enforcement of workplace standards, and provides for advancements in the field of occupational health and safety. The act also created the California Occupational Safety and Health Administration (Cal/OSHA), the primary agency responsible for worker safety in the handling and use of chemicals in the workplace. Cal/OSHA's standards are generally more

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stringent than federal regulations. Under Cal/OSHA standards, the employer is required to monitor worker exposure to listed hazardous substances and notify workers of exposure (Title 8, CCR, Sections 337– 340). The regulations specify requirements for employee training, availability of safety equipment, accident-prevention programs, and hazardous substance exposure warnings.

Regional and Local Regulations

Marin County Municipal Code

Marin County Municipal Code establishes the following requirements related to hazardous materials that are applicable to the project.

Chapter 23.18, Stormwater Runoff Pollution Prevention (County of Marin Stormwater Runoff Pollution Prevention Ordinance)

Section 23.18.055 – Coordination with hazardous materials inventory and response program. The first revision of the business plan for any facility subject to County Code Chapter 7.90 (Hazardous Materials Release Response Plans and Inventories) shall include a program for compliance with this chapter, including the prohibitions on illicit discharges, and the requirement to reduce stormwater pollutants to the maximum extent practicable.

Section 23.18.060 – Discharge of pollutants. The discharge of material other than stormwater to a county storm drain or to an ASBS is prohibited. All discharges of material other than stormwater must be in compliance with a NPDES permit issued for the discharge.

Marin Countywide Plan

The following goals and policies in the Marin Countywide Plan are relevant to the project (Marin County , 2007).

Public Safety

Goal PS-4: Decreased Exposure to Hazardous Materials. Reduce the risks to human and environmental health from hazardous materials.

Policy PS-4.1: Regulate and Reduce Hazardous Material Use. Control the use and storage of hazardous materials to minimize their presence in, and potential dangers to, the community and environment.

Implementing Program PS-4.b: Regulate Hazardous Material Use. Identify businesses that use, store, dispose of, or transport hazardous materials, and require them to follow measures that protect public health and safety.

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Town of Ross General Plan

The following policies of the Ross General Plan related to hazards and hazardous materials are applicable to the project (Town of Ross, 2007).

Goal 5. Protecting Community Health and Safety and Preparing for Emergencies.

5.11 Hazardous Materials Storage and Disposal. Require the proper use, storage, and disposal of hazardous materials to prevent leakage, contamination, potential explosions, fires or the escape of harmful gases, and to prevent individually innocuous materials from combining to form hazardous substances, especially at the time of disposal.

5.12 Access for Emergency Vehicles. New construction shall be denied unless designed to provide adequate access for emergency vehicles, particularly firefighting equipment.

Town of Ross Municipal Code

The following codes of the Town of Ross Municipal Code related to hazards and hazardous materials are applicable to the project (Town of Ross, 2020).

Chapter 18.41 Design Review

18.41.100 Design Review Criteria and Standards. (k) Health and Safety. Project design should minimize the potential for loss of life, injury or damage to property due to natural and other hazards. New construction must, at a minimum, adhere to the fire safety standards in the Building and Fire Code and use measures such as fire-preventive site design, landscaping and building materials, and fire-suppression techniques and resources. Development on hillside areas should adhere to the wildland urban interface building standards in Chapter 7A of the California Building Code. New development in areas of geologic hazard must not be endangered by nor contribute to hazardous conditions on the site or on adjoining properties.

3.8.6 Impact Assessment Methodology

Significance Criteria

Consistent with State CEQA Guidelines Appendix G (Environmental Checklist) and Marin County Environmental Review Guidelines, the project could have a significant impact if it would:

- a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- b. 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;
- c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;

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- d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment;
- e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area;
- f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or
- g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

Given the specific location and design of the project, impacts are analyzed in this section relative to the following additional threshold:

- h. Create any health hazard or potential health hazard, expose people to existing sources of potential health hazards, or result in unsafe conditions for employees, visitors, or students.

Approach to Impact Analysis

The following analysis discusses the potential significant impacts of the project related to hazards and hazardous materials for the project. This section includes an analysis of potential short-term (construction) and long-term (operation) impacts of the project. Impact evaluations are assessed based on the existing conditions described earlier in this section. Mitigation measures are identified, as necessary, to reduce significant impacts.

3.8.7 Impact Discussion

Impacts Avoided

Due to the nature of the project, there would be no impacts related to the following criteria; therefore, no impact discussion is provided for the reasons described below:

1. **Criterion (d):** As discussed in the Environmental Setting above, four hazardous materials sites are located within 0.25 mile of the project area. All sites have been cleaned up and determined to be closed. There are no other known hazardous, toxic, or radioactive waste sites or activities within or near the project area. As a result, the project would not be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and would not create a significant hazard to the public or the environment.
2. **Criterion (e):** There are no airports or airstrips within 2 miles of the project area. Therefore, there would be no impacts related to proximity to airports.
3. **Criterion (g):** The project area is located within wildland–urban interface communities but is not within the very high fire-hazard severity zones (refer to Section 3.16 for discussion related to wildfire). The project is located within the creek corridor in areas that are routinely flooded. The purpose of the project is to

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reduce the frequency and severity of flooding and to protect human life and properties in the communities of Ross and Kentfield. The project would not increase fire hazards to the surrounding areas. Therefore, there would be no impact related to increased risk of wildland fires.

Impacts Analyzed

Impact 3.8-1: The project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment, including, but not limited to oils, pesticides, chemicals, or radiation.	Significance Determination
	Construction: Less than Significant
	Operation and Maintenance: Less than Significant

Construction

Project construction activities would involve the use of heavy equipment and vehicles. Petroleum products, such as gasoline, diesel fuel, oil, lubricants, and cleaning solvents would be used to fuel and maintain construction vehicles and equipment for construction of all project elements. Minor maintenance activities and refueling of equipment and vehicles from fuel trucks could occur at the staging areas during construction. If not properly managed, the routine transport, use, and disposal of hazardous materials could pose a threat to human health or the environment. For example, hazardous materials have the potential to be spilled accidentally during maintenance, refueling, or servicing of equipment and vehicles.

Construction activities are required to comply with numerous hazardous materials and stormwater regulations designed to ensure that hazardous materials are transported, used, stored, and disposed of in a safe manner to protect worker safety, to reduce the potential for a release of construction-related fuels or other hazardous materials to affect stormwater and downstream receiving water bodies, and to respond to accidental spills, if any. Workers handling hazardous materials are required to adhere to OSHA and Cal/OSHA health and safety requirements. Hazardous materials must be transported to and from the project area in accordance with RCRA and USDOT regulations, managed in accordance with the Marin County Department of Public Works CUPA program, and disposed of in accordance with RCRA at a facility that is permitted to accept that waste. Although a spill or leak of hazardous materials is unlikely, because of the project's location in Corte Madera Creek, a spill or leak has the potential to contaminate the waterway. As discussed in Section 3.9 Hydrology and Water Quality, construction contractors would be required to prepare a SWPPP for construction activities according to the NPDES General Construction Permit requirements and similar related County and Town regulations. The SWPPP would list the hazardous materials (including petroleum products) proposed for use during construction and demolition and describe spill response and control measures, equipment inspections, equipment storage, and protocols for responding immediately to spills. With implementation of the SWPPP and compliance with existing regulations, the potential impact related to routine transport and accidental releases of hazardous materials would be less than significant.

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Operation and Maintenance

Operation and maintenance activities would generally be similar to existing conditions except for operation of the proposed pump station and testing of the new backup generator. These activities would require occasional site visits using vehicles and construction equipment that would use fuel and oil. Similar to the use of equipment during construction activities described above, the contractor and the District would be required to comply with numerous hazardous materials and stormwater regulations designed to ensure that hazardous materials are transported, used, stored, and disposed of in a safe manner to protect worker safety, to reduce the potential for a release of construction-related fuels or other hazardous materials to affect stormwater and downstream receiving water bodies, and to respond to accidental spills, if any. With compliance with existing regulations, the potential impact would be less than significant.

Mitigation: None required.

Impact 3.8-2: The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.	Significance Determination
	Construction: Less than Significant
	Operation and Maintenance: Less than Significant

Construction

Emissions

Project construction equipment emissions would emit toxic air contaminants (TACs) within 0.25 mile of three schools. Refer to Section 3.2 Air Quality for an analysis of TAC emissions generated during construction and potential impacts on sensitive receptors, including schools.

Materials Handling

As discussed in Impact 3.8-1, project construction would involve the routine use of petroleum products, such as gasoline, diesel fuel, oil, lubricants, and cleaning solvents to fuel and maintain construction vehicles and equipment. Equipment and vehicle maintenance and refueling, as well as use of hazardous materials, could occur within 0.25 mile of a school. With the exception of equipment fuel, which would likely be stored in a large-capacity fuel truck, the quantities of hazardous materials that could be spilled would be small. This would limit their ability to be transported to a school site because small quantities would be quickly absorbed into the soil and would cease to have an effect. In addition, workers handling hazardous materials are required to adhere to OSHA and Cal/OSHA health and safety requirements. Hazardous materials must be transported to and from the project area in accordance with RCRA and USDOT regulations limiting potential risk of exposure during transport. The impact from materials handling within 0.25 mile of a school would be less than significant.

Waste Handling

All waste would be disposed of in accordance with all applicable federal, state, and local laws regarding soil and hazardous waste disposal and would be transported off site to a licensed landfill. No contaminated soils are known to occur in the area; therefore, the project would not expose schools to any contaminated soils and the impact would be less than significant.

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Operation and Maintenance

Operation and maintenance activities would generally be similar to existing conditions except for operation of the proposed pump station and testing of the new backup generator. These activities would require occasional site visits using vehicles and construction equipment that would use fuel and oil. The construction contractor(s) and the District would be required to comply with numerous hazardous materials regulations designed to reduce the potential for a release of hazardous material that would affect schools and to respond to accidental spills, if any. Through compliance with existing regulations, the potential impact from exposure of schools to hazardous materials would be less than significant.

Mitigation: None required.

Impact 3.8-3: The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	Significance Determination
	Construction: Less than Significant
	Operation and Maintenance: No Impact

Construction

Marin County maintains an Emergency Operations Plan that provides information for emergency management, personnel responsibilities, and procedure before, during, and after major event. The Ross Emergency Operations Plan serves as a planning reference and as a basis for effective response to any hazard that threatens Town of Ross. No roads in the project vicinity have been designated as emergency evacuation routes. Sir Francis Drake Boulevard would provide the main access from Highway 101 to all of the project work sites. Sir Francis Drake Boulevard is a main emergency or evacuation route for communities in West Marin (Marin County, 2019). No road closures would occur during construction, except for the temporary closure of one lane on College Avenue for up to two days and temporary closure of a segment at the end of Laurel Avenue. Vehicles would be able to travel on College Avenue during the short-term closure of College Avenue and would be able to travel around the work area at the end of Laurel Avenue to access the College of Marin or evacuate from the College of Marin. The project would not affect implementation of an emergency operation plan, emergency response plan, or an emergency evacuation plan for Marin County or the Town of Ross. The impact would be less than significant. Impacts on emergency access are analyzed further in Section 3.13 Transportation and Circulation, under Impact 3.13-4.

Operation and Maintenance

Operation and maintenance activities would generally be similar to existing conditions except for operation of the proposed pump station and testing of the new backup generator for up to 50 hours per year. Upon completion of construction activities, occasional maintenance vehicles would access the project area. However, the vehicles would be parked off of streets, and no lane closures would be required. The project would not impair implementation of or physically interfere with any adopted emergency response plan or emergency evacuation plan. No impacts would occur.

Mitigation: None required.

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Impact 3.8-4: The project would not create any health hazard or potential health hazard, expose people to existing sources of potential health hazards, or result in unsafe conditions for employees, visitors, or students.	Significance Determination
	Construction: Less than Significant
	Operation and Maintenance: Less than Significant

Construction, Operation, and Maintenance

The project would involve park improvements within Frederick Allen Park, including construction of a new pedestrian path and tree planting adjacent to the path to shade the realigned pathway. The pathway would gently lower in grade along this newly realigned length from the tennis courts to the park entrance. From the low point in the pathway, boulders would provide areas for seating and access to the natural creek channel. The new access to the natural creek could potentially create a hazard by bringing people into greater contact with the creek, especially during rain events. The lower elevation of the pathway and location of the pathway within the floodwall would also result in increased risk of floodwaters occurring on the pathway as compared with existing conditions. The project would also remove the chain-link fencing along with the floodwalls from the edge of the park and residential yards opposite the park. Removal of the fencing, which acts as a physical barrier separating people from the creek, could expose people or structures to a significant risk of loss, injury, or death from flooding. The threat of flooding is an existing problem in the project area. Removal of chain-link fencing and relocation of the floodwall to the outside of the public access area within the park, lowering of the bike path, and creating a new access point to the creek could potentially expose people to increased risk and hazards and unsafe conditions from flooding in the project area.

The District has proposed the following measures and procedures to reduce the risk of public hazards from flooding in Frederick Allen Park:

- A spit-rail fence will be added along the length of the new top of the channel in Frederick Allen Park during the vegetation establishment period. The split rail fence will create a physical barrier between the new realigned Bike Route 20 pathway and the creek and could remain following the vegetation establishment period if desired by the Town of Ross.
- The District would close access from the pathway to the natural creek prior to predicted major storm events to prevent people entering the creek.
- Signs would be posted at the access points to Frederick Allen Park, notifying the public about the risk of flooding.

In addition, the Town of Ross Public Works Department currently implements procedures in the area to prevent access to public areas immediately prior to and during flooding. These procedures include posting A-frame signs to notify the public that the area is closed due to flooding. The Town of Ross Public Works Department would close access along Bike Route 20 through the park at the entrance from the Post Office parking lot, the entrance from Ross Common, and the entrance near the tennis courts. Through installation of fencing, blocking access to the creek prior to flooding, blocking access to Frederick Allen Park prior to flooding,

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and public education about flood hazards, the project would not create a substantial hazard or substantially expose employees, visitor, or students to unsafe conditions. The impact would be less than significant.

Mitigation: None required.

3.8.8 References

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