# CHAPTER 12.0
# Health and Safety

This section discusses the potential impacts of the Proposed Project on several public health and safety issues:

- Airport Hazards, 12.1;
- Hazardous Materials, 12.2;
- Urban and Wildland Fire Hazards, 12.3; and
- Emergency Operations Plan, 12.4.

## 12.1 Airport Hazards

The potential for health and safety issues resulting from airport hazards is the focus of this section. Noise issues resulting from airport operations are described in Chapter 7.0, "Noise." Chapter 3.2 "Land Use" also includes a discussion of compatibility with the Tulare County Airport Land Use Commission and the most recently adopted Airport Land Use Compatibility Plan.

As a result of comments (see Table 1-2 of Chapter 1.0 "Introduction") received during the NOP public scoping phase of the Proposed Project, specific hazards issues have been considered as part of the impact analysis. For example, the California Department of Transportation Division of Aeronautics requested that the General Plan demonstrate adherence to ALUC policies and minimize the public's exposure to safety hazards.

### Environmental Setting

Mefford Field is a general aviation facility actively used by both local and transient aircraft with an estimated 30,000 annual operations. It provides a fixed base of operations for the Tulare Mosquito Abatement District and seven aviation related commercial enterprises. Included within the 180 acre facility are six conventional hangar buildings, two ten-unit T-hangars and twelve single-engine individual hangar units.

# Regulatory Setting

## Federal Regulations

No significant federal regulations were noted.

## State Regulations

### *California Health and Safety Code*

California Health and Safety Code Section 1250 defines essential facilities as those structures which are necessary for emergency operations subsequent to a natural disaster. These facilities include hospitals and other medical facilities having surgery and emergency treatment areas, fire and police stations, tanks or other structures containing water or other fire-suppression materials, emergency vehicle shelters and garages, structures and equipment in emergency-preparedness centers, standby power-generating equipment for essential facilities, and structures and equipment in government communication centers and other facilities required for emergency response. These facilities are subject to more stringent design and construction standards, as prescribed in Title 24, Chapter 23 of the Code of California Regulations, thus minimizing potential damage. Chapter 23 also applies to skilled nursing facilities, public schools and state-owned or state-leased essential services buildings regulated by the Office of Statewide Health Planning and Development and the Office of the State Architect, Structural Safety Section.

### *California Public Utilities Codes*

Sections 21670-21679.5 (Chapter 4, Article 3.5) provides the statutory authority for the establishment of the Tulare County Airport Land Use Commission (SLUC) and its adoption of procedures and policies.

## Local Regulations

### *Tulare County Comprehensive Airport Land Use Plan*

The Tulare County Comprehensive Airport Land Use Plan guides land use decisions within the vicinity of the Tulare Municipal Airport to ensure land use compatibility.

# Methodology

The assessment of airport-related hazard impacts is a qualitative review of the existing conditions applicable to the City and a determination of whether the Proposed Project includes adequate provisions to address the potential impacts associated with local airport-related conditions.

## Standards of Significance

The proposed City of Tulare 2030 General Plan Update will establish development guidelines against which future projects will be judged for consistency. The significance criteria for this analysis were developed from criteria presented in Appendix G, "Environmental Checklist Form", of the CEQA Guidelines and based on the professional judgment of the City of Tulare and its consultants. The project (or the project alternatives) would result in a significant impact if it would:

- Be located within an airport land use plan area or, where such a plan has not been adopted, be within two miles of a public airport or public use airport, and result in a safety hazard for people residing or working in the project area; or
- Be located within the vicinity of a private airstrip and result in a safety hazard for people residing or working in the project area.

## Impacts and Mitigation Measures

**Impact HS-1: The Proposed Project could result in development located within an airport land use plan or within two miles of a public or private airstrip but would not result in a safety hazard for people residing or working in the project area.**

**Impact Summary**

| |
|---|
| Level of Significance Before Mitigation: *Less-than-Significant* |
| Required Mitigation Measures: *No mitigation required* |
| Level of Significance After Mitigation: *Not applicable* |

**Impact Analysis**

Implementation of the Proposed Project would result in residential and non-residential land use developments. Although the exact location of this new development is not known at this time and would be planned over the next twenty years, these land use developments could result in new urban development, including new urban land uses in the vicinity of Mefford Field Airport and any private airstrips within the Planning Area.

The Tulare Aviation Commission, a five member advisory board appointed by the City Council, is charged with the responsibility of recommendation to the City Council in all areas related to airport use, improvements and development. New development near aviation facilities, particularly multi-story structures or developments with aerial features such as antennas, could create hazards to aviation. The Tulare County Airport Land Use Commission (ALUC) was established to ensure that there are no direct conflicts with land uses, noise, or other issues that

would impact the functionality and safety of airport operations. One of the key functions of the ALUC is to require that cities' and counties' general plans and zoning ordinances are consistent with Airport Environs Land Use Plans (AELUP's), which contain noise contours, restrictions for types of construction and building heights in navigable air space, as well as requirements impacting the establishment or construction of sensitive uses within close proximity to airports.

Overall, the intent of the proposed General Plan is to ensure that existing and future land uses function without imposing a nuisance, hazard, or unhealthy condition upon adjacent uses. Policies included as part of the Proposed Project that would minimize conflicts with local airports are summarized below by general plan element. The draft Land Use and Transportation Elements provide a number of policies that establish requirements for compatible development, including buffering, screening, controls and performance standards, (see Policies LU-3.8, LU-3.9, LU-4.9, LU-10.1, LU-10.3, LU-10.4, and TC-9.3). Other policies from the draft Land Use and Transportation Elements (see Policies LU-10.2, TC-9.4, TC-9.5 and Implementation Measure TC-14) require the City to ensure that all development within the vicinity of local airport facilities is consistent with the policies adopted by the Tulare County Airport Land Use Commission and the most recently adopted Airport Land Use Compatibility Plan. With implementation of the below mentioned policies, this impact is considered ***less-than-significant.***

| Policies designed to promote compatible land use development and patterns that minimize impacts to surrounding land uses (including open space uses) include the following: | |
|---|---|
| LU-3.8 Incompatible Uses<br>LU-3.9 Planned Development<br>LU-4.9 Buffer Commercial Land Uses<br>LU-10.1 Airport Conflicts<br>LU-10.2 Airport Land Use Compatibility Plan | LU-10.3 Airspace Protection<br>LU-10.4 Avigation Easements<br>TC-2.31 Emergency Vehicle Routes<br>TC-2.32 Emergency Railroad Crossing<br>TC-9.3 Airport Protection Zone |
| Policies designed to promote development compatible with local airport land use compatibility plans, include the following: | |
| LU-10.1 Airport Conflicts<br>LU-10.2 Airport Land Use Compatibility Plan<br>LU-10.3 Airspace Protection<br>LU-10.4 Avigation Easements | TC-9.3 Airport Protection Zone<br>TC-9.4 Aviation Planning<br>TC-9.5 Consistency with Airport Land Use Commission Policies<br>Implementation Measure TC-14. |

**Required Mitigation Measures**

This impact is considered ***less-than-significant***. No additional mitigation measures are required.

# 12.2 Hazardous Materials

This section provides information on a variety of hazardous materials impacts with the potential to occur within the City. As a result of comments (see Table 1-2 of Chapter 1.0 "Introduction") received during the NOP public scoping phase of the Proposed Project, the following hazardous materials issues have been considered as part of the impact analysis. For example, the Governor's Office of Emergency Services requested that the EIR include analysis of safety hazards including public and private hazardous facilities. Additionally, the California Division of Oil, Gas and Geothermal Resources requested that all future structures be set back from abandoned wells.

# Environmental Setting

Lists of contaminated sites within the City of Tulare are available through the Regional Water Quality Control Board and the Department of Toxic Substance Control. According to information provided by these agencies, several sites located within the City are associated with leaking underground fuel tanks. Additionally, Mefford Airfield is noted as a non-NPL Superfund site. Further, a Brownfield clean-up site (currently undergoing cleanup) is located at Cartmill Avenue and Highway 99. In addition, agricultural practices and businesses such dry cleaners, gas stations and auto-repair shops could also be areas of contamination. Railroad rights-of-way typically have surface contamination due to the lubricating oil used on the wheels and the use of herbicides to help minimize weeds within these areas.

## Existing Schools

Schools within the City are considered sensitive receptors for hazards impacts including routine hazardous materials use and transport as well as accidental releases of hazardous materials. Existing schools within the City are noted below.

**TABLE 12-1**
**TULARE ELEMENTARY SCHOOL DISTRICT**

| School | Location |
|---|---|
| **Elementary Schools (Grades K-5)** | |
| Cypress Elementary (K-5) | 1870 S. Laspina Street |
| Garden Elementary (K-6) | 640 E, Pleasant Street |
| Frank Kohn Elementary (K-5) | 500 S. Laspina Street |
| Lincoln Elementary (K-6) | 900 E. Cedar Street |
| Maple Elementary (K-5) | 640 W. Cross Street |
| Pleasant Elementary (K-5) | 1855 W. Pleasant Street |
| Roosevelt Elementary (K-4) | 1046 W. Senora Street |
| Wilson Elementary (K-5) | 955 E. Tulare Avenue |
| Heritage Elementary (K-6) | 895 West Gail |
| Mission Valley Elementary (K-6) | 1695 Bella Oaks Dr |
| **Middle Schools (Grades 6-8)** | |
| Cherry Middle | 540 N. Cherry Street |
| Live Oak Middle | 980 N. Laspina Street |
| Los Tules Middle | 801 W. Gail Street |
| Mulcahy Middle (5-8) | 1001 W. Senora Street |
| **Alternative School (Grades 6-8)** | |
| Community Day School | 601 Delwood Street |

Source: http://www.tcoe.org/Districts/TulareCity.shtm

**TULARE 12-2**
**JOINT UNION HIGH SCHOOL DISTRICT**

| School | Location |
|---|---|
| **Comprehensive High Schools (Grades 9-12)** | |
| Tulare Union High School | 755 E. Tulare Avenue |
| Tulare Western High School | 824 W. Maple Street |
| **Alternative High Schools (Grades 9-12)** | |
| Tulare Technical Preparatory High School | 737 W. Bardsley Avenue |
| Sierra Vista High School | 1070 S. Pratt Street |
| Valley Continuation High School | 426 Blackstone Avenue |
| Tulare Adult School | 575 W. Maple Street |
| Countryside High School | 1070 S. Pratt |
| High School Farm | 591 W. Bardsley Avenue |

# Regulatory Setting

## Federal Regulations

Federal regulatory agencies include the USEPA, the Occupational Safety and Health Administration, the Nuclear Regulatory Commission, the Department of Transportation, and the National Institute of Health. The following are the federal laws and guidelines governing hazardous substances:

- Pollution Prevention Act (42 USC 13101 et seq./40 CFR)
- Clean Water Act (33 USC 1251 et seq./40 CFR)
- Clean Air Act (42 USC 7401 et seq./40 CFR)
- Occupational Health and Safety Act (29 USC 651 et seq./29 CFR)
- Federal Insecticide, fungicide, and Rodenticide Act (7 USC 136 et seq./40 CFR)
- Comprehensive Environmental Response Compensation and Liability Act (42 USC 9601 et seq./29 CFR, 40 CFR)
- Superfund Amendments and Reauthorization Act Title III (42 USC 9601 et seq./29 CFR)
- Resource Conservation and Recovery Act (42 USC 6901 et seq./40 CFR)
- Safe Drinking Water Act (42 USC 300f et seq./40 CFR)
- Toxic Substances Control Act (15 USC 2601 et seq./40 CFR)

At the federal level, the principal agency regulating the generation, transport, and disposal of hazardous substances is the USEPA, under the authority of Resource Conservation and Recovery Act (RCRA). RCRA established a federal hazardous substance "cradle-to-grave" regulatory program that is administered by USEPA. Under RCRA, USEPA regulates the generation,

transportation, treatment, storage, and disposal of hazardous substances. RCRA was amended in 1984 by the Hazardous and Solid Waste Act (HSWA), which affirmed and extended the "cradle-to-grave" system of regulating hazardous substances. The HSWA specifically prohibits the use of certain techniques for the disposal of some hazardous substances. Under RCRA, individual states may implement their own hazardous substance management programs as long as they are consistent with, and at least as strict as, RCRA. USEPA must approve state programs intended to implement RCRA requirements.

USEPA also regulates sites that have been deemed to contain hazardous substances under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly referred to as Superfund, which was enacted on December 11, 1980. The purpose of CERCLA was to provide regulators the ability to respond to uncontrolled releases of hazardous substances from inactive hazardous waste sites that endanger public health and the environment.

CERCLA established prohibitions and requirements concerning closed and abandoned hazardous waste sites, provided for liability of persons responsible for releases of hazardous waste at such sites, and established a trust fund to provide for cleanup when no responsible party could be identified. In addition, CERCLA provided for the revision and republishing of the National Contingency Plan (NCP) that provides the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The NCP also provides for the National Priorities List, a list of national priorities among releases or threatened releases throughout the United States for the purpose of taking remedial action.

The Superfund Amendments and Reauthorization Act (SARA) amended CERCLA on October 17, 1986. This amendment increased the size of the Hazardous Response Trust Fund, expanded USEPA's response authority, strengthened enforcement activities at Superfund sites; and broadened the application of the law to include federal facilities. In addition, new provisions were added to the law that dealt with emergency planning and community right to know. SARA also required USEPA to revise the Hazard Ranking System to ensure that it accurately assesses the relative degree of risk to human health and the environment posed by sites and facilities subject to review for listing on the National Priorities List.

## State Regulations

The California Environmental Protection Agency (Cal-EPA) and the Office of Emergency Services of the State of California establish rules governing the use of hazardous substances. The State Water Regional Control Board has primary responsibility to protect water quality and supply.

The following represent state laws and guidelines governing hazardous substances:

- Porter Cologne Water Quality Control Act (California Water Code Section 13000-14076/23 CCR)

- California Accidental Release Prevention Law (California Health and Safety Code Section 25531 et seq./19 CCR)
- California Building Code (California Health and Safety Code Section 18901 et seq./24 CCR)
- California Fire Code (California Health and Safety Code Section 13000 et seq./19 CCR)
- California Occupational Safety and Health Act (California Labor Code Section 6300 6718/ 8 CCR)
- Hazardous Materials Handling and Emergency Response "Waters Bill" (California Health and Safety Code Section 25500 et seq./19 CCR)
- Hazardous Waste Control Law (HWCL) (California Health and Safety Code Section 25100 et seq. / 22 CCR)
- Carpenter-Presley-Tanner Hazardous Substance Account Act "State Superfund" (California Health and Safety Code Section 25300 et seq. / California Revenue and Tax Code Section 43001 et seq.)
- Hazardous Substances Act (California Health and Safety Code Section 108100 et seq.)
- Safe Drinking Water and Toxic Enforcement Act "Proposition 65" (California Health and Safety Code Sections 25180.7, 25189.5, 25192, 25249.5-25249.13 / 8 CCR, 22 CCR)
- California Air Quality Laws (California Health and Safety Code Section 39000 et seq./17 CCR)
- Aboveground Petroleum Storage Act (California Health and Safety Code Section 25270 et seq.)
- Pesticide Contamination Prevention Act (California Food and Agriculture Code Section 13141 et seq./3 CCR)
- Underground Storage Tank Law "Sher Bill" (California Health and Safety Code Section 25280 et seq./23 CCR)

Within Cal-EPA, the California Department of Toxic Substances Control (DTSC) has primary regulatory responsibility, with delegation of enforcement to local jurisdictions that enter into agreements with the state agency, for the generation, transport and disposal of hazardous substances under the authority of the HWCL. Regulations implementing the HWCL list 791 hazardous chemicals and 20 or 30 more common substances that may be hazardous; establish

criteria for identifying, packaging and labeling hazardous substances; prescribe management of hazardous substances; establish permit requirements for hazardous substances treatment, storage, disposal and transportation; and identify hazardous substances that cannot be deposited in landfills.

Under both the federal RCRA and HWCL, the generator of a hazardous substance must complete a manifest that accompanies the waste from the point of generation to the ultimate treatment, storage or disposal location. The manifest describes the waste, its intended destination, and other regulatory information about the waste. Copies must be filed with the DTSC. Generators must also match copies of waste manifests with receipts from the treatment, storage or disposal facility to which it sends waste.

#### Emergency Response to Hazardous Material Incidents

California has developed an Emergency Response Plan to coordinate emergency services provided by federal, state, and local government and private agencies. Response to significant hazardous materials incidents is one part of this plan. The plan is administered by the State Office of Emergency Services, which coordinates the responses of other agencies including the Cal-EPA the California Highway Patrol (CHP), CDFG, Central Valley RWQCB, local environmental health departments, and local fire departments.

#### Unified Hazardous Waste and Hazardous Management Regulatory Program

In January 1996, Cal-EPA adopted regulations, which implemented a Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (Unified Program). The program has six elements: (1) hazardous waste generators and hazardous waste on-site treatment; (2) underground storage tanks (USTs); (3) ASTs; (4) hazardous materials release response plans and inventories; (5) risk management and prevention programs; and (6) Unified Fire Code hazardous materials management plans and inventories. The plan is implemented at the local level and the agency responsible for implementation of the Unified Program is called the Certified Unified Program Agency (CUPA).

## Local Regulations

### *City of Tulare Code of Ordinances*

Title 3 of the City of Tulare's Code of Ordinance, Fire Regulations covers fire prevention, open fires, hazardous materials and disaster management for the city.

### *Countywide Integrated Waste Management Plan (CIWMP)*

Tulare County and its eight cities worked together in a countywide effort to prepare a Countywide Integrated Waste Management Plan (CIWMP). The CIWMP includes a Source Reduction and Recycling Element (SRRE), Household Hazardous Waste Element (HHWE) and Non-disposal Facility Element (NDFE). The CIWMP is required by the California Integrated Waste Management Act of 1989, Assembly Bill 939 (AB 939). AB 939 mandates that all cities and counties in California meet waste diversion goals of 25 percent and 50 percent by 1995 and 2000, respectively.

## Methodology

The assessment of hazardous materials impacts is a qualitative review of the existing conditions applicable to the City and a determination of whether the Proposed Project includes adequate provisions to address the potential impacts associated with local hazardous materials conditions.

## Standards of Significance

The proposed City of Tulare 2030 General Plan Update will establish development guidelines against which future projects will be judged for consistency. The significance criteria for this analysis were developed from criteria presented in Appendix G, "Environmental Checklist Form", of the CEQA Guidelines and based on the professional judgment of the City of Tulare and its consultants. The project (or the project alternatives) would result in a significant impact 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 reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment;
- Emit hazardous emissions or involve handling hazardous or acutely hazardous substances, or waste within one-quarter mile of an existing or proposed school; or
- Be located on a site that 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 environment.

## Impacts and Mitigation Measures

**Impact HS-2: The Proposed Project could create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials to the environment.**

**Impact Summary**

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|---|
| Level of Significance Before Mitigation: *Potentially Significant* |
| Required Mitigation Measures: *New Policies – "Designated Routes for Hazardous Materials Transport," "Hazardous Materials Studies," "Transporting Hazardous Materials," "Establishment of Procedures to Transport Hazardous Wastes," "Incompatible Land Uses," "Contamination Prevention," "Increase Public Awareness," and "Pesticide Control."* |
| Level of Significance After Mitigation: *Less-than-Significant* |

## Impact Analysis

Lists of contaminated sites within the City of Tulare are available through the Regional Water Quality Control Board and the Department of Toxic Substance Control. According to information provided by these agencies, several sites located within the City are associated with leaking underground fuel tanks. Additionally, Mefford Airfield is noted as a non-NPL Superfund site. Further, a Brownfield clean-up site (currently undergoing cleanup) is located at Cartmill Avenue and Highway 99. In addition, agricultural practices and businesses such dry cleaners, gas stations and auto-repair shops could also be areas of contamination. Railroad rights-of-way typically have surface contamination due to the lubricating oil used on the wheels and the use of herbicides to help minimize weeds within these areas.

Implementation of the Proposed Project would result in additional City-wide residential and non-residential land use developments, which could occur on land currently used for agricultural or developed uses. Hazardous materials such as pesticides, vehicle fluids, asbestos-containing materials, lead paint, polychlorinated biphenyls (PCBs), underground storage tanks, and aboveground storage tanks could all be found in these areas.

Policies included as part of the Proposed Project that would minimize this impact are summarized below by general plan element. For example, the existing Safety Element provides a number of policies that have been developed to address hazardous materials concerns including the safe storage, use, and disposal of hazardous materials (see Resolution No. 3589 Safety Element Policies #1 through #7). Additional policies from both the draft Land Use and Transportation Elements (see Policies LU-3.8, LU-3.9 and LU-4.9) prevent incompatible land uses that could lead to hazardous conditions. However, even with implementation of the below mentioned policies, this impact is considered ***potentially significant.***

| Policies designed to promote compatible land use development and patterns that minimize impacts to surrounding land uses (including open space uses) include the following: | |
|---|---|
| LU-3.8 Incompatible Uses<br>LU-3.9 Planned Development<br>LU-4.9 Buffer Commercial Land Uses<br>LU-10.1 Airport Conflicts<br>LU-10.2 Airport Land Use Compatibility Plan | LU-10.3 Airspace Protection<br>LU-10.4 Avigation Easements<br>TC-2.31 Emergency Vehicle Routes<br>TC-2.32 Emergency Railroad Crossing<br>TC-9.3 Airport Protection Zone |
| Policies designed to minimize the risk of City residents and property associated with the transport, distribution, use, and storage of hazardous materials include the following: | |
| *Resolution No. 3589 Safety Element Policy #1.* All Specified hazardous waste facilities shall be consistent with the siting criteria, as listed in Section 7.2 and 7.3 of the Tulare County Hazardous Waste Management Plan and all adopted General Plan elements of the City of Tulare.<br><br>*Resolution No. 3589 Safety Element Policy #2.* The siting of all hazardous waste facilities shall be consistent with the procedures, standards and conditions of the City of Tulare's Zoning Ordinance.<br><br>*Resolution No. 3589 Safety Element Policy #3.* Analysis of alternative sites shall be required for specified hazardous waste facilities where local property values, agricultural production or future anticipated urban development may be negatively affected. | *Resolution No. 3589 Safety Element Policy #5.* Small volume off-site hazardous waste facilities, consisting of transfer, treatment, storage and recycling facilities may be sited without an amendment to the Tulare General Plan, if sufficient separation between residential areas is demonstrated and adequate environmental safeguards are incorporated as conditions of approval.<br><br>*Resolution No. 3589 Safety Element Policy #6.* Specified hazardous waste disposal facilities (including residual repositories and on-site facilities utilizing incineration methods) are prohibited unless the project site is designated as a "Hazardous Waste Facilities" on the land use map of the Tulare General Plan, and it is demonstrated that the facility will produce insignificant levels of emissions without any offsets. |

| | |
|---|---|
| *Resolution No. 3589 Safety Element Policy #4.* Specified hazardous waste facilities shall be considered inconsistent with the policies of the Tulare General Plan if existing or planned facilities are located within Tulare County. | *Resolution No. 3589 Safety Element Policy #7.* All hazardous waste disposal facilities are considered an incompatible land use within the Tulare Sphere of Influence unless both of the following conditions are met: compliance with the Tulare Zoning Ordinance and annexation to the corporate boundaries of the City of Tulare. |

**Required Mitigation Measures**

The City will implement the following mitigation measure:

**Mitigation Measure HS-1. Adopt Policies to Address Hazards to the Public or the Environment Associated with the Transport, Use, or Disposal of Hazardous Materials.** To mitigate these hazards impacts resulting from implementation of the Proposed Project, the City shall amend the General Plan to include the following new policies:

- **Designated Routes for Hazardous Materials Transport.** The City shall continue to encourage the transportation of hazardous materials within the City to routes that have been designated for such transport. *[New Policy – Draft EIR Analysis]*.

- **Hazardous Materials Studies.** The City shall ensure that the proponents of new development projects address hazardous materials concerns through the preparation of Phase I or Phase II hazardous materials studies for each identified site as part of the design phase for each project. Recommendations required to satisfy federal or State cleanup standards outlined in the studies will be implemented as part of the construction phase for each project. *[New Policy – Draft EIR Analysis]*.

- **Transporting Hazardous Materials**. The City shall strive to ensure hazardous materials are used, stored, transported, and disposed of in a safe manner, in compliance with local, state, and federal safety standards. *[New Policy – Draft EIR Analysis]*

- **Establishment of Procedures to Transport Hazardous Wastes.** The City shall continue to cooperate with the CHP to establish procedures for the movement of hazardous wastes and explosives within the City. *[New Policy – Draft EIR Analysis]*

- **Incompatible Land Uses**. The City shall prevent incompatible land uses near properties that produce or store hazardous waste. *[New Policy – Draft EIR Analysis]*

- **Contamination Prevention.** The City shall review new development proposals to protect soils, air quality, surface water and groundwater from hazardous materials contamination. *[New Policy – Draft EIR Analysis]*

- **Increase Public Awareness.** The City shall work to educate the public about household hazardous waste and the proper method of disposal. *[New Policy – Draft EIR Analysis]*

- **Pesticide Control.** The City shall monitor studies of pesticide use and the effects if pesticide on residents and wildlife and require mitigation of the effects wherever feasible and appropriate. *[New Policy – Draft EIR Analysis]*

**Significance after Implementation of Mitigation for Impact HS-2**

As stated above, the City will continue to regulate facilities that routinely use, store, handle and transport hazardous substances. Implementation of the Proposed Project including the adoption of the policies listed above (including the new policies "Designated Routes for Hazardous Materials Transport," "Hazardous Materials Studies," "Transporting Hazardous Materials," "Establishment of Procedures to Transport Hazardous Wastes," "Incompatible Land Uses," "Contamination Prevention," "Increase Public Awareness," and "Pesticide Control.") would result in a ***less-than-significant*** impact.

**Impact HS-3: The Proposed 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.**

**Impact Summary**

| |
|---|
| Level of Significance Before Mitigation: *Potentially Significant* |
| Required Mitigation Measures: *New Policies – "Designated Routes for Hazardous Materials Transport," "Hazardous Materials Studies," "Transporting Hazardous Materials," "Establishment of Procedures to Transport Hazardous Wastes," "Incompatible Land Uses," "Contamination Prevention," "Increase Public Awareness," and "Pesticide Control."* |
| Level of Significance After Mitigation: *Less-than-significant* |

**Impact Analysis**

Schools are one of several sensitive receptors that must be taken into consideration when the City is approving new land uses or transportation routes that may accommodate the production, storage, use, or transportation of hazardous materials and/or waste. Implementation of the Proposed Project would result in increased population levels throughout the City and would increase the number of school-age children as well. A potential increase in levels of residential development throughout the City would generate an increase in the number of students (dependent upon future household sizes and make-ups), and would necessitate the need to construct additional school facilities. New school sites should be evaluated for their proximity and potential exposure to hazardous materials as they are proposed for development. Potential school sites should be selected to minimize their exposure to a variety of hazardous conditions. In addition to general CEQA requirements, school acquisition/development projects to be funded under the State School Facilities Program must also satisfy several specific requirements established under the California Education Code and California Code of Regulations. These

regulations require that potential school hazards relating to soils, seismicity, hazards and hazardous materials, and flooding be addressed during the school site selection process. Compliance with these requirements will address significant impacts associated with the siting of new public schools within the City.

Policies included as part of the Proposed Project that would minimize this impact are summarized below by general plan element. For example, the existing Safety Element provides a number of policies that have been developed to address hazardous materials concerns including the safe storage, use, and disposal of hazardous materials (see Resolution No. 3589 Safety Element Policies #1 through #7). Additional policies from both the draft Land Use and Transportation Elements (see Policies LU-3.8, LU-3.9 and LU-4.9) prevent incompatible land uses that could lead to hazardous conditions. However, even with implementation of the below mentioned policies, this impact is considered ***potentially significant***.

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### Required Mitigation Measures

The City will implement the following mitigation measure:

**Mitigation Measure HS-2. Adopt Policies to Address Hazardous Materials Impacts to Schools.** To mitigate these hazards impacts resulting from implementation of the Proposed Project, the City shall amend the General Plan to include the following new policies:

- **Designated Routes for Hazardous Materials Transport.** The City shall continue to encourage the transportation of hazardous materials within the City to routes that have been designated for such transport. *[New Policy – Draft EIR Analysis]*.

- **Hazardous Materials Studies.** The City shall ensure that the proponents of new development projects address hazardous materials concerns through the preparation of Phase I or Phase II hazardous materials studies for each identified site as part of the design phase for each project. Recommendations required to satisfy federal or State cleanup standards outlined in the studies will be implemented as part of the construction phase for each project. *[New Policy – Draft EIR Analysis]*.

- **Transporting Hazardous Materials**. The City shall strive to ensure hazardous materials are used, stored, transported, and disposed of in a safe manner, in compliance with local, state, and federal safety standards. *[New Policy – Draft EIR Analysis]*

- **Establishment of Procedures to Transport Hazardous Wastes.** The City shall continue to cooperate with the CHP to establish procedures for the movement of hazardous wastes and explosives within the City. *[New Policy – Draft EIR Analysis]*

- **Incompatible Land Uses**. The City shall prevent incompatible land uses near properties that produce or store hazardous waste. *[New Policy – Draft EIR Analysis]*

- **Contamination Prevention.** The City shall review new development proposals to protect soils, air quality, surface water and groundwater from hazardous materials contamination. *[New Policy – Draft EIR Analysis]*

- **Increase Public Awareness.** The City shall work to educate the public about household hazardous waste and the proper method of disposal. *[New Policy – Draft EIR Analysis]*

- **Pesticide Control.** The City shall monitor studies of pesticide use and the effects if pesticide on residents and wildlife and require mitigation of the effects wherever feasible and appropriate. *[New Policy – Draft EIR Analysis]*

**Significance after Implementation of Mitigation for Impact HS-3**

As stated above, the City will continue to regulate facilities that routinely use, store, handle and transport hazardous substances. Implementation of the Proposed Project including the adoption of the policies listed above (including the new policies "Designated Routes for Hazardous Materials Transport," "Hazardous Materials Studies," "Transporting Hazardous Materials," "Establishment of Procedures to Transport Hazardous Wastes," "Incompatible Land Uses," "Contamination Prevention," "Increase Public Awareness," and "Pesticide Control.") would result in a ***less-than-significant*** impact.

**Impact HS-4: Development under the Proposed Project could 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, could create a significant hazard to the public or the environment.**

### Impact Summary

| |
|---|
| Level of Significance Before Mitigation: *Potentially Significant* |
| Required Mitigation Measures: *New Policies – "Hazardous Materials Studies," "Incompatible Land Uses," and "Contamination Prevention,"* |
| Level of Significance After Mitigation: *Less-than-Significant* |

### Impact Analysis

As more fully described above under Impact HS-2, lists of contaminated sites within the City are available through the Regional Water Quality Control Board and the Department of Toxic Substance Control. According to information provided by these agencies, several of these sites are associated with leaking underground fuel tanks.

Policies included as part of the Proposed Project that would minimize this impact are summarized below by general plan element. For example, the existing Safety Element provides a number of policies that have been developed to address hazardous materials concerns including the safe storage, use, and disposal of hazardous materials (see Resolution No. 3589 Safety Element Policies #1 through #7). Additional policies from both the draft Land Use and Transportation Elements (see Policies LU-3.8, LU-3.9 and LU-4.9) prevent incompatible land uses that could lead to hazardous conditions. However, even with implementation of the below mentioned policies, this impact is considered ***potentially significant***.

| Policies designed to promote compatible land use development include the following: | |
|---|---|
| LU-3.8 Incompatible Uses<br>LU-3.9 Planned Development | LU-4.9 Buffer Commercial Land Uses |
| Policies designed to minimize the risk of City residents and property associated with the transport, distribution, use, and storage of hazardous materials include the following: | |
| *Resolution No. 3589 Safety Element Policy #1.* All Specified hazardous waste facilities shall be consistent with the siting criteria, as listed in Section 7.2 and 7.3 of the Tulare County Hazardous Waste Management Plan and all adopted General Plan elements of the City of Tulare.<br><br>*Resolution No. 3589 Safety Element Policy #2.* The siting of all hazardous waste facilities shall be consistent with the procedures, standards and conditions of the City of Tulare's Zoning Ordinance.<br><br>*Resolution No. 3589 Safety Element Policy #3.* Analysis of alternative sites shall be required for specified hazardous waste facilities where local property values, agricultural production or future anticipated urban development may be negatively affected. | *Resolution No. 3589 Safety Element Policy #5.* Small volume off-site hazardous waste facilities, consisting of transfer, treatment, storage and recycling facilities may be sited without an amendment to the Tulare General Plan, if sufficient separation between residential areas is demonstrated and adequate environmental safeguards are incorporated as conditions of approval.<br><br>*Resolution No. 3589 Safety Element Policy #6.* Specified hazardous waste disposal facilities (including residual repositories and on-site facilities utilizing incineration methods) are prohibited unless the project site is designated as a "Hazardous Waste Facilities" on the land use map of the Tulare General Plan, and it is demonstrated that the facility will produce insignificant levels of emissions without any offsets. |

| | |
|---|---|
| *Resolution No. 3589 Safety Element Policy #4.* Specified hazardous waste facilities shall be considered inconsistent with the policies of the Tulare General Plan if existing or planned facilities are located within Tulare County. | *Resolution No. 3589 Safety Element Policy #7.* All hazardous waste disposal facilities are considered an incompatible land use within the Tulare Sphere of Influence unless both of the following conditions are met: compliance with the Tulare Zoning Ordinance and annexation to the corporate boundaries of the City of Tulare. |

**Required Mitigation Measures**

The City will implement the following mitigation measure:

**Mitigation Measure HS-3. Adopt Policies to Address Hazardous Materials Sites Impacts.** To mitigate these hazards impacts resulting from implementation of the Proposed Project, the City shall amend the General Plan to include the following new policies:

- **Hazardous Materials Studies.** The City shall ensure that the proponents of new development projects address hazardous materials concerns through the preparation of Phase I or Phase II hazardous materials studies for each identified site as part of the design phase for each project. Recommendations required to satisfy federal or State cleanup standards outlined in the studies will be implemented as part of the construction phase for each project. *[New Policy – Draft EIR Analysis]*.

- **Incompatible Land Uses**. The City shall prevent incompatible land uses near properties that produce or store hazardous waste. *[New Policy – Draft EIR Analysis]*

- **Contamination Prevention.** The City shall review new development proposals to protect soils, air quality, surface water and groundwater from hazardous materials contamination. *[New Policy – Draft EIR Analysis]*

**Significance after Implementation of Mitigation for Impact HS-4**

As stated above, the City will continue to regulate facilities that routinely use, store, handle and transport hazardous substances. Therefore, implementation of the Proposed Project including the adoption of the policies listed above (including the new policies "Hazardous Materials Studies," "Incompatible Land Uses," and "Contamination Prevention,") would result in a *less-than-significant* impact.

# 12.3 Urban and Wildland Fire Hazards

The potential for urban and wildland fire hazards is the focus of this section. Issues associated with the provision of fire protection services are addressed in Chapter 4.0 "Public Services and Utilities." As a result of comments (see Table 1-2 of Chapter 1.0 "Introduction") received during the NOP public scoping phase of the Proposed Project, specific hazards issues have been considered as part of the impact analysis. For example, the Governor's Office of Emergency Services requested that the EIR include analysis of safety hazards including wildland and urban fires.

# Environmental Setting

Within the developed City, natural habitat and vegetation is largely replaced by urban and landscape. The dominant vegetation and wildlife within the City can be characterized as urban, landscape, or agricultural. However, to the extent the City is surrounded by and encompasses some areas that are nearly "wild" or undisturbed, the possibility for wildland fires exists, especially where developed areas abut these undisturbed areas.

# Regulatory Setting

## Federal Regulations

No significant federal regulations were noted.

## State Regulations

### *California Health and Safety Code*

California Health and Safety Code Section 1250 defines essential facilities as those structures which are necessary for emergency operations subsequent to a natural disaster. These facilities include hospitals and other medical facilities having surgery and emergency treatment areas, fire and police stations, tanks or other structures containing water or other fire-suppression materials, emergency vehicle shelters and garages, structures and equipment in emergency-preparedness centers, standby power-generating equipment for essential facilities, and structures and equipment in government communication centers and other facilities required for emergency response. These facilities are subject to more stringent design and construction standards, as prescribed in Title 24, Chapter 23 of the Code of California Regulations, thus minimizing potential damage. Chapter 23 also applies to skilled nursing facilities, public schools and state-owned or state-leased essential services buildings regulated by the Office of Statewide Health Planning and Development and the Office of the State Architect, Structural Safety Section.

## Local Regulations

### *City of Tulare Code of Ordinances*

Title 3 of the City of Tulare's Code of Ordinance, Fire Regulations covers fire prevention, open fires, hazardous materials and disaster management for the city.

# Methodology

The assessment of fire hazard impacts is a qualitative review of the existing conditions applicable to the City and a determination of whether the Proposed Project includes adequate provisions to address the potential impacts associated with local urban and wildland fire hazard conditions.

## Standards of Significance

The proposed City of Tulare 2030 General Plan Update will establish development guidelines against which future projects will be judged for consistency. The significance criteria for this analysis were developed from criteria presented in Appendix G, "Environmental Checklist Form," of the CEQA Guidelines and based on the professional judgment of the City of Tulare and its consultants. The project (or the project alternatives) would result in a significant impact if it would:

- 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.

## Impacts and Mitigation Measures

**Impact HS-5: The Proposed Project could 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.**

**Impact Summary**

| |
|---|
| Level of Significance Before Mitigation: *Potentially Significant* |
| Required Mitigation Measures: *New Policies – "Emergency Services Near Assisted Living Housing," "Building and Codes," "New Building Fire Hazards," "Development in Fire Hazard Zones," "Encourage Cluster Development," "Fire Risk Recommendations," "Wildland Fire Management Plans," "Water Supply System," "Fire Buffers," "Weed Abatement," "Coordinate Emergency Response Services with Government Agencies," "Maintain Emergency Evacuation Plans," "Upgrading for Streets and Highways," "Emergency Centers," and "Joint Exercises."* |
| Level of Significance After Mitigation: *Less-than-significant* |

**Impact Analysis**

Wildland fires would pose a significant threat to the people and structures of the City in areas adjacent to rural and open space lands, which are more susceptible to wildland fires due to potential fuel loads (grassland and other vegetation). One of the primary factors contributing to the effective control of a vegetation fire is the rapid response by local fire units. This is especially true during fire season, when fire units may be committed to other fires and are unavailable to respond as quickly.

The Proposed Project includes one existing policy, "Resolution No. 2401 Safety Element Policy #6," which directs the City to give emphasis to "no burn" laws, especially outside of immediate response zones of fire stations. However, even with implementation of the below mentioned policy, this impact is considered ***potentially significant***.

| | |
|---|---|
| Policies designed to minimize this impact through the continued provision of fire protection services and emergency response planning include the following: | |
| Resolution No. 2401 Safety Element Policy #6. No burn laws should be given greater emphasis particularly in areas outside of the immediate response zones of Fire Stations. | |

**Required Mitigation Measures**

The City will implement the following mitigation measure:

**Mitigation Measure HS-4. Adopt Policies to Address Wildland Fire Hazard Impacts.** To mitigate these hazards impacts resulting from implementation of the Proposed Project, the City shall amend the General Plan to include the following new policies:

- **Emergency Services Near Assisted Living Housing.** In approving new facilities, such as nursing homes, housing for the elderly and other housing for the mentally and physically infirm, to the extent possible the City shall seek to ensure that such facilities are located within reasonable distance of fire and law enforcement stations. *[New Policy – Draft EIR Analysis]*

- **Building and Codes.** Except as otherwise allowed by State law, the City shall ensure that all new buildings intended for human habitation are designed in compliance with the latest edition of the California Building Code, California Fire Code, and other adopted standards based on risk (e.g., seismic hazards, flooding), type of occupancy, and location (e.g., floodplain, fault). *[New Policy – Draft EIR Analysis]*

- **New Building Fire Hazards.** The City shall ensure that all building permits for development in urban areas as well as areas with potential for wildland fires are reviewed by the City Fire Chief. *[New Policy – Draft EIR Analysis]*

- **Development in Fire Hazard Zones.** The City shall ensure that development in extreme or high fire hazard areas is designed and constructed in a manner that minimizes the risk from fire hazards and meets all applicable State and City fire standards. This shall include promoting the use of fire resistant materials designed to reduce fire vulnerability within high or extreme fire hazard areas through use of Article 86-A of the 2001 California Fire Code and other nationally recognized standards, as may be updated periodically. Special consideration shall be given to the use of fire-resistant-materials and fire-resistant-construction in the underside of eaves, balconies, unenclosed roofs and floors, and other similar horizontal surfaces in areas with steep slopes. *[New Policy – Draft EIR Analysis]*

- **Encourage Cluster Development.** The City shall encourage cluster developments in areas identified as subject to high or extreme fire hazard, to provide for more localized and effective fire protection measures such as consolidations of fuel build-up abatement, firebreak maintenance, fire fighting equipment access, and water service provision. *[New Policy – Draft EIR Analysis]*

- **Fire Risk Recommendations**. The City shall encourage the City Fire Chief to make recommendations to property owners regarding hazards associated with the use of materials, types of structures, location of structures and subdivisions, road widths, location of fire hydrants, water supply and other important considerations regarding fire hazards that may be technically feasible but not included in present ordinances or policies. *[New Policy – Draft EIR Analysis]*

- **Wildland Fire Management Plans.** The City shall require the development of wildland fire management plans for projects adjoining significant areas of open space that may have high fuel loads. *[New Policy – Draft EIR Analysis]*

- **Water Supply System.** The City shall require that water supply systems be adequate to serve the size and configuration of land developments. Standards as set forth in the subdivision ordinance shall be maintained and improved as necessary. *[New Policy – Draft EIR Analysis]*

- **Fire Buffers.** The City shall strive to maintain fire buffers along heavily traveled roads within hazard zones by thinning, disking, or controlled burning. Parks, golf courses, utility corridors, roads, and open space areas shall be encouraged to locate so they serve a secondary function as a fuel break. *[New Policy – Draft EIR Analysis]*

- **Weed Abatement.** The City shall encourage weed abatement programs throughout the City in order to promote fire safety. *[New Policy – Draft EIR Analysis]*

- **Coordinate Emergency Response Services with Government Agencies**. The City shall coordinate emergency response with local, state, and federal governmental agencies charged with disaster and emergency preparedness responsibilities. *[New Policy – Draft EIR Analysis]*

- **Maintain Emergency Evacuation Plans.** The City shall maintain emergency evacuation plans for areas identified as subject to potential flooding. *[New Policy – Draft EIR Analysis]*

- **Upgrading for Streets and Highways.** The City shall evaluate and upgrade vital streets and highways to an acceptable level for emergency services. *[New Policy – Draft EIR Analysis]*

- **Emergency Centers.** The City shall require emergency backup systems to enable uninterrupted continuous operations as required by the California Essential Facilities Act. *[New Policy – Draft EIR Analysis]*

- **Joint Exercises.** The City shall encourage fire and law enforcement departments to periodically conduct joint training exercises with the goal of developing the best possible coordinated action in the event of a natural or human-made hazard. *[New Policy – Draft EIR Analysis]*

# 12.4 Emergency Operations Plan

## Emergency Response

The potential for inadequate emergency response services is the focus of this section. Issues associated with the provision of fire protection and law enforcement services are addressed in Chapter 4.0 "Public Services and Utilities." No comments specific to emergency response services were received during the NOP public scoping phase of the Proposed Project.

## Environmental Setting

The City of Tulare's Emergency Operations Plan (December 2005) addresses the planned response to extraordinary emergency situations associated with natural disasters, technological incidents, and national security emergencies in or affecting the City of Tulare.

The plan accomplishes the following:

- Establishes the emergency management organization required to mitigate any significant emergency or disaster affecting The City of Tulare.
- Identifies the policies, responsibilities and procedures required to protect the health and safety of the City of Tulare, public and private property and the environmental effects of natural and technological emergencies and disasters.
- Establishes the operational concepts and procedures associated with Initial Response Operations (field response) to emergencies, the Extended Response Operations (City Emergency Operations Center (EOC) activities and the recovery process.

This plan is designed to establish the framework for implementation of the National Incident Management System (NIMS) for The City of Tulare, which is located within the Governor's Office of Emergency Service's Mutual Aid Region V. It is intended to facilitate multi-agency and multi-jurisdictional coordination, particularly between The City of Tulare and other local government agencies, special districts, and state agencies, in emergency operations.

## Regulatory Setting

### Federal Regulations

No significant federal regulations were noted.

### State Regulations

#### *California Health and Safety Code*

California Health and Safety Code Section 1250 defines essential facilities as those structures which are necessary for emergency operations subsequent to a natural disaster. These facilities

include hospitals and other medical facilities having surgery and emergency treatment areas, fire and police stations, tanks or other structures containing water or other fire-suppression materials, emergency vehicle shelters and garages, structures and equipment in emergency-preparedness centers, standby power-generating equipment for essential facilities, and structures and equipment in government communication centers and other facilities required for emergency response. These facilities are subject to more stringent design and construction standards, as prescribed in Title 24, Chapter 23 of the Code of California Regulations, thus minimizing potential damage. Chapter 23 also applies to skilled nursing facilities, public schools and state-owned or state-leased essential services buildings regulated by the Office of Statewide Health Planning and Development and the Office of the State Architect, Structural Safety Section.

### Local Regulations

#### *City of Tulare Code of Ordinances*

Title 3 of the City of Tulare's Code of Ordinance, Fire Regulations covers fire prevention, open fires, hazardous materials and disaster management for the city.

## Methodology

The assessment of impacts to existing levels of emergency response services is a qualitative review of the existing conditions applicable to the City and a determination of whether the Proposed Project includes adequate provisions to address the potential impacts to local emergency response conditions.

## Standards of Significance

The proposed City of Tulare 2030 General Plan Update will establish development guidelines against which future projects will be judged for consistency. The significance criteria for this analysis were developed from criteria presented in Appendix G, "Environmental Checklist Form," of the CEQA Guidelines and based on the professional judgment of the City of Tulare and its consultants. The project (or the project alternatives) would result in a significant impact if it would:

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

## Impacts and Mitigation Measures

**Impact HS-6: The Proposed Project could impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.**

**Impact Summary**

| |
|---|
| Level of Significance Before Mitigation: *Potentially Significant* |
| Required Mitigation Measures: *TC-1.1. 'Integrated Transportation System,' TC-2.3. 'Level of Service Standard,' TC-2.7. 'Tulare Loop Roadway,' TC-2.9. 'Roadway Improvements,' TC-2.25. 'Limiting Local Street Use,' TC-2.30. 'Commercial Area Access,' TC-7.1. 'TSM/TDM,' TC-7.2. 'TSM/TDM Strategy,' TC-7.3. 'Demand Reduction and Capacity Expansion,' Implementation Measure TC-2, TC-8.3. 'Regional Coordination,' Implementation Measure TC-2. LU-2.9. 'Regional Cooperation,' LU-2.11. 'Regional Planning,' LU-14.4. 'Regional Coordination.' New Policies –* "*Emergency Services Near Assisted Living Housing," "Coordinate Emergency Response Services with Government Agencies," "Maintain Emergency Evacuation Plans," "Emergency Centers," and "Joint Exercises."* |
| Level of Significance After Mitigation: *Less-than-Significant* |

**Impact Analysis**

As more fully described in Chapter 5.0 "Transportation and Circulation" of this EIR, the City of Tulare roadway volume model for the Proposed Project estimates that the base-year land uses generates 222,400 daily trips and attracts 191,600 daily trips. The build-out roadway volume model for the Proposed Project, based on the currently proposed land use assumptions, generated 619,100 trips and attracted 788,900 trips, resulting in a 169,800 trip imbalance (22 percent). The build-out year trip imbalance is a five-fold increase over existing General Plan assumptions.

The projected roadway volume associated with the Proposed Project was analyzed for 163 roadway segments. The analysis of the traffic volumes associated with the Proposed Project indicates that three of the 163 roadway segments (< 2 percent) evaluated for 2030 Level of Service (LOS) would have a LOS of 'E', which is below the City's stated goal to maintain a Level of Service of "D" on all its roadways. These segments do not have a current (2005) LOS rating.

The Proposed Project addresses these traffic impacts through a combination of policies and physical roadway improvements. However, the traffic impact is still considered potentially significant because the proposed policies allow for the deterioration of their level of service beyond what is allowed under the current General Plan and because implementation of several proposed roadway improvements is contingent on a variety of factors outside the City's control. With the LOS of less than 2 percent (three segments) of evaluated roadway segments being reduced to unacceptable levels of service, adopted emergency response plans or evacuation plans could possibly experience physical interference.

Policies designed to ensure a coordinated approach to emergency response planning include Policies TC-2.31 and TC-2.32 of the Draft Transportation Element. Additionally, Resolution No. 2401 Safety Element Policies #11 and #20 direct the City to prepare for emergency needs of the City. The following policies included in the City's General Plan Update serve to reduce the

noted negative impacts. However, even with the policies and implementation measures noted below, this impact is considered ***potentially significant.***

| TRANSPORTATION AND CIRCULATION POLICIES AND IMPLEMENTATION MEASURES | |
|---|---|
| Policies designed to minimize this impact through the development of integrated, efficient, and safe roadway systems include the following: | |
| TC-1.1 Integrated Transportation System<br>TC-1.2 Road Improvements<br>TC-2.1 Circulation Diagram<br>TC-2.2 Roadway Standards<br>TC-2.3 Level of Service Standard<br>TC-2.7 Tulare Loop Roadway<br>TC-2.8 Traffic Signal Spacing<br>TC-2.9 Roadway Improvements<br>TC-2.10 Local Street Traffic<br>TC-2.11 Arterial Mobility<br>TC-2.12 Collector Road Design<br>TC-2.21 Master Planned Commercial Development<br>TC-2.25 Limiting Local Street Use<br>TC-2.28 Traffic Signal Management<br>TC-2.30 Commercial Area Access<br>TC-3.2 Fair Share Improvements<br>TC-3.3 Roadway Improvement Funding Sources | TC-3.4 Developer Dedication<br>TC-3.5 Other Funding Sources<br>TC-4.1 Transit Use Promotion<br>TC-7.1 TSM/TDM<br>TC-7.2 TSM/TDM Strategy<br>TC-7.3 Demand Reduction and Capacity Expansion<br>TC-8.1 Truck Route System<br>TC-8.2 Access to Transportation<br>TC-8.3 Regional Coordination<br>Implementation Measure TC-1<br>Implementation Measure TC-2<br>Implementation Measure TC-3<br>Implementation Measure TC-9<br>Implementation Measure TC-10<br>Implementation Measure TC-11<br>Implementation Measure TC-12 |
| **LAND USE POLICIES AND IMPLEMENTATION MEASURES** | |
| Policies designed to minimize this impact through the development of properly-planned roadway systems include the following: | |
| LU-2.9 Regional Cooperation<br>LU-2.11 Regional Planning<br>LU-3.7 Neighborhood Noise Abatement<br>LU-4.14 Incorporation of Alternative Transportation | LU-5.5 Special Trip Commercial Uses<br>LU-6.7 Industrial Transportation Access<br>LU-8.7 Roads Support Adjacent Land Use<br>LU-14.4 Regional Coordination |
| Policies designed to ensure a coordinated approach to emergency response and evacuation planning include the following: | |
| TC-2.31 Emergency Vehicle Routes<br>TC-2.32 Emergency Railroad Crossing<br>TC-8.3 Regional Coordination<br>LU-14.4 Regional Coordination | Resolution No. 2401 Safety Element Policy #11. The City of Tulare should continue to upgrade preparedness strategies and techniques in all levels so as to be prepared when disaster, either natural or man-made occurs.<br><br>Resolution No. 2401 Safety Element Policy #20. It is recommended that the City of Tulare adopt the proposed Emergency Plan for the City of Tulare. |

### Required Mitigation Measures

The City will implement the following mitigation measure:

**Mitigation Measure HS-6. Adopt Policies to Address Emergency Response Impacts.** To mitigate emergency response impacts resulting from implementation of the Proposed Project, the City shall amend the General Plan to include the following new policies:

- **Emergency Services near Assisted Living Housing.** In approving new facilities, such as nursing homes, housing for the elderly and other housing for the mentally and physically infirm, to the extent possible the City shall seek to ensure that such facilities are located within reasonable distance of fire and law enforcement stations. *[New Policy – Draft EIR Analysis]*

- **Coordinate Emergency Response Services with Government Agencies**. The City shall coordinate emergency response with local, state, and federal governmental agencies charged with disaster and emergency preparedness responsibilities. *[New Policy – Draft EIR Analysis]*

- **Maintain Emergency Evacuation Plans.** The City shall maintain emergency evacuation plans for areas identified as subject to potential flooding. *[New Policy – Draft EIR Analysis]*

- **Emergency Centers.** The City shall require emergency backup systems to enable uninterrupted continuous operations as required by the California Essential Facilities Act. *[New Policy – Draft EIR Analysis]*

- **Joint Exercises.** The City shall encourage fire and law enforcement departments to periodically conduct joint training exercises with the goal of developing the best possible coordinated action in the event of a natural or human-made hazard. *[New Policy – Draft EIR Analysis]*

As stated above, the City will implement several policies designed to address conformance with local emergency response programs and continued cooperation with emergency response service providers. Additionally, the mitigation measures noted above will provide added preparation for the handling of emergency situations. As a result, this impact is reduced to a ***less-than-significant*** level.

**Significance after Implementation of Mitigation for Impact HS-6**

Implementation of the above policies and implementation measure would reduce this impact to a ***less-than-significant*** level.