4.8 HAZARDS AND HAZARDOUS MATERIALS

4.8.1 Introduction

This section analyzes potentially significant impacts related to hazards and hazardous materials that could result from implementation of the Newport Beach General Plan Housing Implementation Program (Project). The analysis area covers the entirety of the City and its Sphere of Influence (referred herein as the "City") with emphasis on the housing sites.

4.8.2 Regulatory Setting

Federal

Hazardous Materials Transportation Act

The Hazardous Materials Transportation Act of 1975 regulates safe transportation of hazardous materials. The U.S. Department of Transportation regulates transportation of hazardous materials on all interstate roads. In California, the State agencies with primary responsibility for enforcing federal and State regulations and for responding to transportation emergencies are the California Highway Patrol and California Department of Transportation (Caltrans). Together, federal and state agencies determine driver training requirements, load labeling procedures, and container specifications. Although special requirements apply to transporting hazardous materials, requirements for transporting hazardous waste are more stringent, and hazardous waste haulers must be licensed to transport hazardous waste on public roads.

Resource Conservation and Recovery Act

At the federal level, the principal agency regulating the generation, transport, treatment, storage, and disposal of hazardous substances is the United States Environmental Protection Agency (U.S. EPA), under the authority of the Resource Conservation and Recovery Act (RCRA). RCRA established an all-encompassing federal regulatory program for hazardous substances that is administered by the U.S. EPA. RCRA was amended in 1984 by the Hazardous and Solid Waste Amendments of 1984, which specifically prohibited the use of certain techniques for the disposal of various hazardous substances. The Federal Emergency Planning and Community Right to Know Act of 1986 imposes requirements for hazardous materials planning to help protect local communities in the event of accidental release of hazardous substances. In California, the U.S. EPA has delegated many of the RCRA requirements to Department of Toxic Substances Control (DTSC).

Comprehensive Environmental Response, Compensation, and Liability Act/Superfund Amendments and Reauthorization Act

CERCLA, commonly known as Superfund, was enacted by Congress on December 11, 1980. This law, US Code Title 42 Chapter 103, provides broad Federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA establishes requirements concerning closed and abandoned hazardous waste sites; provides for liability of persons responsible for releases of hazardous waste at these sites; and establishes a trust fund to provide for cleanup when no responsible party can be identified. CERCLA also enables the revision of the National Contingency Plan (NCP). The NCP (Title 40, Code of Federal Regulation [CFR], Part 300) provides the guidelines and procedures needed to respond to releases and threatened releases of hazardous

substances, pollutants, and/or contaminants. The NCP also established the National Priorities List. CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986.

Regulation of Polychlorinated Biphenyls and Lead-Based Paint

The Toxic Substances Control Act of 1976 (United States Code [USC], §2605 Title 15) banned the manufacture, processing, distribution, and use of polychlorinated biphenyls (PCBs) in enclosed systems. PCBs are considered hazardous materials because of their toxicity. They have been shown to cause cancer in animals, along with effects on the immune, reproductive, nervous, and endocrine systems, and studies have shown evidence of similar effects in humans.

The U.S. EPA Region 9 PCB Program regulates remediation of PCBs in several states, including California. The Code of Federal Regulations, Title 40, Section 761.30(a)(1)(vi)(A) states that all owners of electrical transformers containing PCBs must register their transformers with the U.S. EPA. Specified electrical equipment manufactured between July 1, 1978, and July 1, 1998, that does not contain PCBs must be marked by the manufacturer with the statement "No PCBs" (§761.40[g]). Transformers and other items manufactured before July 1, 1978, containing PCBs, must be marked as such.

The Residential Lead-Based Paint Hazard Reduction Act of 1992 amended the Toxic Substances Control Act to include Title IV, Lead Exposure Reduction. The U.S. EPA regulates renovation activities that could create lead-based paint hazards in target housing and child-occupied facilities and has established standards for lead-based paint hazards and lead dust cleanup levels in most pre-1978 housing and child-occupied facilities.

Toxic Substances Control Act/Resource Conservation and Recovery Act/Hazardous and Solid Waste Act

The federal Toxic Substances Control Act of 1976 and RCRA established a program administered by the U.S. EPA to regulate the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA was amended in 1984 by the Hazardous and Solid Waste Act, which affirmed and extended the "cradle to grave" system of regulating hazardous wastes.

Disaster Mitigation Act of 2000

The Disaster Mitigation Act (42 USC §5121) was signed into law to amend the Robert T. Stafford Disaster Relief Act of 1988 (42 USC §5121-5207). Among other things, this legislation reinforces the importance of pre-disaster infrastructure mitigation planning to reduce disaster losses nationwide and is aimed primarily at controlling and streamlining the administration of federal disaster relief and programs to promote mitigation activities. Some of the Act's major provisions include:

i. Funding pre-disaster mitigation activities;

ii. Developing experimental multi-hazard maps to better understand risk;

iii. Establishing state and local government infrastructure mitigation planning requirements;

iv. Defining how states can assume more responsibility in managing the hazard mitigation grant program; and

v. Adjusting ways in which management costs for projects are funded.

State

California Environmental Protection Agency

The California Environmental Protection Agency (CalEPA) has jurisdiction over hazardous materials and wastes at the State level. The California Department of Toxic Substances Control (DTSC) is the department of CalEPA responsible for implementing and enforcing California's own hazardous waste laws, which are known collectively as the Hazardous Waste Control Law. The DTSC regulates hazardous waste in California primarily under the authority of the federal RCRA and the California Health and Safety Code (primarily Division 20, Chapters 6.5 through 10.6, and Title 22, Division 4.5). Although similar to RCRA, the California Hazardous Waste Control Law and its associated regulations define hazardous waste more broadly and regulate a larger number of chemicals. Hazardous wastes regulated by California but not by the U.S. EPA are called "non-RCRA hazardous wastes." Other laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning. Government Code Section 65962.5 (commonly referred to as the Cortese List) includes DTSC-listed hazardous waste facilities and sites, Department of Health Services lists of contaminated drinking water wells, sites listed by the State Water Resources Control Board (SWRCB) as having underground storage tank leaks and have had a discharge of hazardous wastes or materials into the water or groundwater, and lists from local regulatory agencies of sites that have had a known migration of hazardous waste/material.

The enforcement of directives from DTSC is handled at the local level, in this case, the Orange County Health Care Agency, Environmental Health Division (OCHCA-EH). The Santa Ana Regional Water Quality Control Board (RWQCB) also has the authority to implement regulations regarding the management of soil and groundwater investigation.

Unified Hazardous Waste and Hazardous Materials Management Regulatory Program

The Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (Unified Program) requires the administrative consolidation of six hazardous materials and waste programs (Program Elements) under one agency: Certified Unified Program Agency (CUPA). The Program Elements consolidated under the Unified Program are: (1) Hazardous Waste Generator and Onsite Hazardous Waste Treatment Programs; (2) Aboveground Petroleum Storage Tanks (Spill Prevention Control and Countermeasure Plan); (3) Underground Storage Tank (UST) Program; (4) Hazardous Materials Release Response Plans and Inventory Program (Hazardous Materials Disclosure or "Community-Right-To-Know"); (5) California Accidental Release Prevention Program; and (6) Uniform Fire Code Plans and Inventory Requirements. The Unified Program is intended to provide relief to businesses complying with the overlapping and sometimes conflicting requirements of formerly independently managed programs. The Unified Program is implemented at the local government level by CUPAs. The CUPA with jurisdiction over Newport Beach is the OCHCA-EH.

California Health and Safety Code and Occupational Safety and Health Administration

The HSC is the collection of State laws governing the handling of hazardous waste, corrective action (remediation), and permitted facilities. HSC Chapter 6.7 outlines the requirements for underground storage tanks (UST), identifies requirements for corrective actions, cleanup funds, liability, and the responsibilities of owners and operators of USTs. The Leaking Underground Storage Tank (LUST) Information System maintained by the State Water Resources Control Board is available to determine if LUSTs have been reported within or near a specified property.

The California Occupational Safety and Health Administration (Cal-OSHA) defines and enforces worker safety standards and requires proper handling and disposal of hazardous materials including asbestos-containing materials (ACMs) and lead compounds (LCs) according to OSHA and U.S. EPA regulations. The OSHA/EPA Occupational Chemical Database compiles information from several government agencies and organizations. This database provides reports on physical properties, exposure guidelines, and emergency response information, including the U.S. Department of Transportation emergency response guide.

California Building Code/California Residential Code

The 2022 California Building Code (CBC) is based on the International Building Code, which is a model building code developed by the International Code Council that sets rules specifying the minimum acceptable level of safety for building construction in the United States. The CBC is part of the California Code of Regulations (CCR), Title 24 Part 2. The California Residential Code (CRC) is part of the CCR, Title 24 Part 2.5. The CBC is updated periodically. The current version of the CBC was published on July 1, 2022 and became effective on January 1, 2023. Development projects must show compliance with the CBC and/or CRC through the development review process. Building permits are submitted and reviewed for compliance prior to obtaining construction and building permits.

Emergency Mutual Aid Agreements

The Emergency Mutual Aid Agreements (EMAA) system is a collaborative effort between city and county Office of Emergency Services (OES) emergency managers in the State's coastal, southern, and inland regions. EMAA provides service in the emergency response and recovery efforts at the Southern Regional Emergency Operations Center, local Emergency Operations Centers, the Disaster Field Office, and community service centers. The purpose of EMAAs is to support disaster operations in affected jurisdictions by providing professional emergency management personnel. In accordance with the EMAA, local and State emergency managers have responded in support of each other under a variety of plans and procedures.

California Governor's Office of Emergency Services (Cal OES)

In 2009, the State of California passed legislation creating the California Emergency Management Agency (Cal EMA) and authorizing it to prepare a Standardized Emergency Management System (SEMS) program (Title 19 CCR §2400 *et seq*.), which sets forth measures by which a jurisdiction should handle emergency disasters. Non-compliance with SEMS could result in the State withholding disaster relief from the non-complying jurisdiction in the event of an emergency disaster. As part of former Governor Brown's Reorganization Plan #2, Cal EMA was eliminated and restored to the Governor's Office in 2013. Cal EMA was renamed California Governor's Office of Emergency Services (Cal OES) and merged with the office of Public Safety Communications.

Cal OES serves as the lead State agency for emergency management in California. Cal OES coordinates the State response to major emergencies in support of local government. The primary responsibility for emergency management resides with local government. Local jurisdictions first use their own resources and, as these are exhausted, obtain more from neighboring cities and special districts, the county in which they are located, and other counties throughout the State through the statewide mutual aid system. The SEMS provides the mechanism by which local government requests assistance. Cal OES serves as the Lead Agency for mobilizing the State's resources and obtaining federal resources; it also maintains oversight of the State's mutual aid system.

Hazardous Materials Release Response Plans and Inventories

The California Hazardous Materials Release Response Plans and Inventory Law of 1985 requires hazardous materials business plans to be prepared and inventories of hazardous materials to be disclosed. A business plan includes an inventory of the hazardous materials handled, facility floor plans showing where hazardous materials are stored, an emergency response plan, and provisions for employee safety and emergency response training (California Health and Safety Code, Division 20, Chapter 6.95, Article 1). Statewide, the DTSC has primary regulatory responsibility for managing hazardous materials, with delegation of authority to local jurisdictions that enter into agreements with the State of California. Local agencies, including the Orange County Environmental Health Department, administer these laws and regulations.

Hazardous Waste Control Act

The Hazardous Waste Control Act is codified in California Code of Regulations Title 26, which describes requirements for the proper management of hazardous wastes. The act created the State's hazardous waste management program, which is similar to but more stringent than the federal RCRA program. The program includes hazardous waste criteria for identification and classification; generation and transportation; design and permitting of recycling, treatment, storage, and disposal facilities; treatment standards; operation of facilities and staff training; and closure of facilities and liability requirements.

The Hazardous Waste Control Act and Title 26 regulations list more than 800 potentially hazardous materials and establish criteria for identifying, packaging, and disposing of such wastes. To comply with these regulations, the generator of hazardous waste material must complete a manifest that accompanies the material from the point of generation to transportation to the ultimate disposal location and is required to file copies of the manifest with the DTSC.

Tanner Act

The Tanner Act (AB 2948) was adopted in 1986 and governs the preparation of hazardous waste management plans and sites the location of hazardous waste facilities in the State of California. The Act also requires that each county adopts a Hazardous Waste Management Plan which needs to include provisions that define the planning process for waste management, the permit process for new or expanded facilities, and the appeal process to the State available for certain local decision.

California Accidental Release Prevention (CalARP) Program

The California Accidental Release and Prevention (CalARP) program was implemented in 1997 and its purpose is to prevent accidental release of substances that can cause harm to the public and environment and minimize damage if releases do occur. CalARP requires facilities that handle, manufacture, use, or store any regulated substances above threshold quantities to submit a Risk Management Plan (RMP) and proactively prevent and prepare for accidental releases. The California Environmental Protection Agency oversees implementation of CalARP at the State level while Certified Unified Program Agencies (CUPAs) and/or Participating Agencies implement CalARP program at the local level.

Government Code Section 65962.5 (Cortese List)

The provisions of Government Code Section 65962.5 are commonly referred to as the Cortese List. The Cortese List is a planning document used by State and local agencies to provide information about hazardous materials release sites. Government Code Section 65962.5 requires the California

Environmental Protection Agency (CalEPA) to develop an updated Cortese List annually. The DTSC is responsible for a portion of the information contained in the Cortese List. Other State and local government agencies are required to provide additional hazardous materials release information for the list.

Underground Storage Tank Program

The California Department of Public Health and the State Water Resources Control Board (SWRCB) maintain lists of hazardous UST sites for remediation. Sites are listed based on unauthorized release of toxic substances. Leak prevention, cleanup, enforcement, and tank testing certification are UST program elements.

Regional and Local

City of Newport Beach Local Hazard Mitigation Plan[1]

The 2016 Local Hazard Mitigation Plan is a FEMA-approved document that identifies the natural and human-caused hazards of concern within the planning area and the potential actions identified by the City to mitigate these hazards. This document complies with the Federal Disaster Mitigation Act of 2000, which requires an update every five years to ensure jurisdictions remain eligible for FEMA mitigation grant opportunities. The Local Hazards Mitigation Plan describes and analyzes issues of concern to the City including earthquakes, floods, tsunamis, wildfires, unstable slopes, and strong winds.

City of Newport Beach Emergency Operations Plan[2]

Pursuant to Municipal Code Section 2.20.050, Emergency Operations Plan, the City of Newport Beach maintains an Emergency Operations Plan (EOP) that guides the City through the mitigation, preparedness, response, and recovery phases of emergency management. The plan's purpose is to establish policies and procedures that will assure the most effective utilization of all resources in the City to minimize potential loss of life and protect the environment and property. The City adopted the EOP in 2022, which identifies evacuation routes, emergency facilities, and City personnel and describes the overall responsibilities of federal, State, regional, Operational Area, and City entities. The EOP contains strategies and programs for implementation to better prepare the public for natural and human caused disasters. The EOP continues the city's compliance with the Standardized Emergency Management System (SEMS), the National Incident Management System (NIMS), the Incident Command System (ICS), the National Response Framework (NRF), and the National Preparedness Guidelines, including Comprehensive Preparedness Guide 101: Developing and Maintaining Emergency Operations Plans (CPG-101).

City of Newport Beach Emergency Response Organization

The activities identified in the EOP are carried out by the City's Emergency Response Organization, which is made up of assigned representatives from City departments. The Emergency Response Organization is formed per Municipal Code Section 2.20.080, Emergency Organization and maintains a readiness condition 24 hours per day, seven days per week.

[1] City of Newport Beach. (2016). *Local Hazard Mitigation Plan*. https://ecms.newportbeachca.gov/WEB/DocView.aspx?id=2867550&dbid=0&repo=cnb. Accessed December 2023.

[2] City of Newport Beach. (2022). *Emergency Operations Plan*. https://www.newportbeachca.gov/home/showpublisheddocument/72743/638059324946730000. Accessed December 4, 2023.

In substantial emergency situations, the City also may choose to activate its Emergency Operations Center, which is responsible for directing, coordinating, and supporting the various City departments and other agencies in their emergency response activities. The Emergency Operations Center is a stand-alone facility, located in the Newport Beach Police Department, with resources necessary to facilitate an effective emergency response. When the Emergency Response Organization is activated, representatives from City departments report to the Emergency Operations Center and fill their assigned roles. The Emergency Operations Center allows for face-to-face coordination among personnel who must create policy, set priorities, inform the public, and support first responders.

Airport Environs Land Use Plan for John Wayne Airport[3]

An Airport Land Use Commission (ALUC) is an agency authorized under State law to assist local agencies in ensuring compatible land uses near airports. In 1975, the ALUC of Orange County adopted an Airport Environs Land Use Plan (AELUP, amended April 17, 2008) that included John Wayne Airport, Fullerton Municipal Airport, and the Joint Forces Training Base Los Alamitos. The AELUP is a land use compatibility plan that is intended to protect the public from adverse effects of aircraft noise; to ensure the people and facilities are not concentrated in areas susceptible to aircraft accidents; and to ensure that no structures or activities adversely affect navigable space.

The AELUP for John Wayne Airport identifies standards for development in the airport's planning area based on noise contours, accident potential zone, and building heights and identifies safety and compatibility zones that depict which land uses are acceptable and unacceptable in various portions of AELUP Safety Zones 1 through 6. An ALUC is an agency authorized under State law to assist local agencies in ensuring compatible land uses near airports. Primary areas of concern for ALUC are noise, safety hazards, and airport operational integrity.

ALUCs are not implementing agencies in the manner of local governments, nor do they issue permits for a project such as those required by local governments. However, pursuant to California Public Utilities Code Section 21676, local governments are required to submit all general plans, specific plans, general plan amendments, and zone changes that occur in the ALUC planning areas for consistency review by the ALUC. If such an amendment or change is deemed inconsistent with the ALUC plan, a local government may override the ALUC decision by a two-thirds vote of its governing body, if it makes specific findings that the proposed action is consistent with the purposes stated in Section 21670(a)(2) of the Public Utilities Code: "to protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards in areas around public airports to the extent that these areas are not already devoted to incompatible uses."

City of Newport Beach General Plan

The *City of Newport Beach General Plan 2006 Update* (General Plan) includes goals and policies to reduce potential adverse impacts associated with hazards and hazardous materials. The following General Plan goals and policies that have been adopted by the City for the purpose of avoiding or mitigating an environmental effect are applicable to future development projects associated with the proposed Project.

[3] Airport Land Use Commission For Orange County (2008). *Airport Environs Land Use Plan for John Wayne Airport.* https://files.ocair.com/media/2021-02/JWA_AELUP-April-17-2008.pdf?VersionId=cB0byJjdad9OuY5im7Oaj5aWaT1FS.vD. Accessed December 5, 2023.

Land Use Element

Goal LU 6.15 **A mixed-use community that provides jobs, residential, and supporting services in close proximity, with pedestrian-oriented amenities that facilitate walking and enhance livability.**

Policy LU 6.15.3 **Airport Compatibility.** Require that all development be constructed in conformance with the height restrictions set forth by the Federal Aviation Administration (FAA), Federal Aviation Regulations (FAR) Part 77, and Caltrans Division of Aeronautics, and that residential development shall be allowed only on parcels with noise levels of less than John Wayne Airport 65 dBA CNEL noise contour area *as* shown in Figure N5 of the Noise Element of the General Plan unless and until the City determines, based on substantial evidence, that the sites wholly within the 65 dBA CNEL noise contour shown in Figure N5 are needed for the City to satisfy its Sixth Cycle RHNA mandate. Nonresidential uses are, however, encouraged on parcels located wholly within the 65 dBA CNEL contour area.

Safety Element

Goal S 6 **Protection of human life and property from the risks of wildfires and urban fires.**

Policy S 6.2 **Development in Interface Areas.** Apply hazard reduction, fuel modification, and other methods to reduce wildfire hazards to existing and new development in urban wildland interface areas.

Policy S 6.4 **Use of City-Approved Plant List.** Use fire-resistive, native plant species from the City-approved plant list in fuel modification zones abutting sensitive habitats.

Policy S 6.5 **Invasive Ornamental Plant Species.** Prohibit invasive ornamental plant species in fuel modification zones abutting sensitive habitats.

Policy S 6.7 **Properties within Interface Areas.** Conduct regular inspections of parcels in the urban wildland interface areas and direct property owners to bring their property into compliance with fire inspection standards.

Goal S 7 **Exposure of people and the environment to hazardous materials associated with methane gas extraction, oil operations, leaking underground storage tanks, and hazardous waste generators is minimized.**

Policy S 7.1 **Known Areas of Contamination.** Require proponents of projects in known areas of contamination from oil operations or other uses to perform comprehensive soil and groundwater contamination assessments in accordance with American Society for Testing and Materials standards, and if contamination exceeds regulatory action levels, require the proponent to undertake remediation procedures prior to grading and development under the supervision of the County Environmental Health Division, County Department of Toxic Substances Control, or Regional Water Quality Control Board (depending upon the nature of any identified contamination).

Policy S 7.2 **Development Design within Methane Gas Districts.** Ensure that any development within identified methane gas districts be designed consistent with the requirements of the Newport Beach Municipal Code.

Policy S 7.6 **Regulation of Companies Involved with Hazardous Materials.** Require all users, producers, and transporters of hazardous materials and wastes to clearly identify the materials that they store, use, or transport, and to notify the appropriate City, County, state, and federal agencies in the event of a violation.

Goal S 8 **Residents, property, and the environment are protected from aviation-related hazards.**

Policy S 8.6 **John Wayne Airport Traffic Pattern Zone.** Use the most currently available John Wayne Airport (JWA) Airport Environs Land Use Plan (AELUP) as a planning resource for evaluation of land use compatibility and land use intensity in areas affected by JWA operations. In particular, future land use decisions within the existing JWA Clear Zone/Runway Protection Zone (Figure S5) should be evaluated to minimize the risk to life and property associated with aircraft operations.

City of Newport Beach Local Coastal Program: Coastal Land Use Plan

The Coastal Act requires each local jurisdiction wholly or partly within the Coastal Zone to prepare a Local Coastal Program (LCP) which are used to carry out the polices and requirements of the Coastal Act. A certified LCP allows for Coastal Development Permit issuance by the local jurisdiction for all areas outside of the California Coastal Commission's (Coastal Commission). A LCP typically consists of two parts: (1) a coastal element consisting of a land use plan and policies for development and conservation within the coastal zone, and (2) an implementation program consisting of ordinances, maps, and implementing actions for the land use plan and policies.

The City fulfills the requirements of part 1 with its adopted Coastal Land Use Plan. The City's Implementation Plan fulfills part 2. Pursuant to Newport Beach Municipal Code (Municipal Code) Section 21.10.030, any conflict between the policies set forth in any element of the City's General Plan, Zoning, or any ordinance and those of the Coastal Land Use Plan, policies of the Coastal Land Use Plan shall take precedence. However, in no case shall the policies of the Coastal Land Use Plan be interpreted to allow a development to exceed a development limit established by the General Plan or its implementing ordinances. As noted above, the City lies partly within the Coastal Zone boundary. The City received certification of its LCP with an effective date of January 30, 2017.[4]

The City's Coastal Land Use Plan includes the following goals, objectives, and policies applicable to hazards and hazardous materials:

Policy 2.8.1-1: Review all applications for new development to determine potential threats from costal and other hazards.

Policy 2.8.1-2: Design and site new development to avoid hazardous areas and minimize risk to life and property from coastal and other hazards.

Policy 2.8.1-3: Design land divisions, including lot line adjustments, to avoid hazardous areas and minimize risk to life and property from costal and other hazards.

[4] City of Newport Beach. *Local Coastal Program Frequently Asked Questions (FAQ)*. Retrieved from: https://www.newportbeachca.gov/government/departments/community-development-/planning-division/local-coastal-program-launch-page/faq#Q3 accessed March 2023.

Policy 2.8.8-1: Apply hazard reduction, fuel modification, and other methods to reduce wildfire hazards to existing and new development in urban wildland interface areas.

Policy 2.8.8-2: Site and design new development to avoid fire hazards and the need to extend fuel modification zones into sensitive habitats.

Policy 2.8.8-3: Use fire-resistive, native plant species from the City-approved plant list in fuel modification zones abutting sensitive habitats.

Policy 2.8.8-4: Prohibit invasive ornamental plant species in fuel modification zones abutting sensitive habitats

Policy 2.8.8-5: Continue to maintain a database of parcels in urban wildland interface areas.

Policy 2.8.8-6: Continue annual inspections of parcels in urban wildland interface areas and, if necessary, direct the property owner to bring the property into compliance with fire inspection standards.

Policy 4.3.1-8: Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.

City of Newport Beach Municipal Code

Title 2, Chapter 2.20 Emergency Services.[5] This chapter provides for the preparation and implementation of plans to provide services within this City in the event of an emergency and for the coordination of the emergency service functions with all other public agencies and affected private persons, corporations, and organizations. Municipal Code Section 2.20.050 requires City Council to adopt an Emergency Operations Plan.

Title 9, Chapter 9.04 Fire Code.[6] The City of Newport Beach has adopted the 2022 California Fire Code with City amendments and some exceptions. Chapter 9.04, also called the Fire Code, establishes a variety of regulations related to hazards such as: recommendations for development on land containing or emitting toxic substances, hazardous materials documentation procedures, hazardous materials management plan, storage tank regulations, etc. The Newport Beach Fire Department (NBFD) enforces locally developed fire regulations which reduce the amount and continuity of fuel (vegetation) available, firewood storage, debris clearing, proximity of vegetation to structures and other measures aimed at "Hazard Reduction."

Title 15, Chapter 55 Methane Overlay Zone.[7] Methane gas is found in high concentrations in or near the ground surface in certain areas of Newport Beach. These methane hazards have resulted in City regulations and procedures to ensure proper mitigation and abatement. Municipal Code Chapter 15.55, Methane Overlay Zone, designates the boundaries of methane gas mitigation districts within the City. Future housing development facilitated by the Project that are located within the methane gas mitigation districts would be subject to Municipal Code Section 15.55.040, which specifies Testing and Mitigation

[5] City of Newport Beach. *City of Newport Beach Municipal Code – Chapter 2.20 Emergency Services.* https://www.codepublishing.com/CA/NewportBeach/#!/NewportBeach02/NewportBeach0220.html#2.20. Accessed November 30, 2023.

[6] City of Newport Beach. *City of Newport Beach Municipal Code – Chapter 9.04 Fire Code.* https://www.codepublishing.com/CA/NewportBeach/#!/NewportBeach09/NewportBeach0904.html#9.04. Accessed November 30, 2023.

[7] City of Newport Beach. *City of Newport Beach Municipal Code – Chapter 15.55 Methane Overlay Zone.* https://www.codepublishing.com/CA/NewportBeach/#!/NewportBeach15/NewportBeach1555.html#15.55. Accessed November 30, 2023.

Requirements and required mitigations prior to the approval of any project within any methane gas mitigation districts.

Title 20, Chapter 30, Section 080 (F) Airport Environs Land Use Plan.[8] This section of the Municipal Code establishes the standards for the regulations of noise levels pursuant to health, safety, and welfare within the City. The Municipal Code incorporates the AELUP requirements and allows residential uses on parcels wholly or partially outside the John Wayne Airport 65 dBA CNEL noise contour as shown in Figure N5 of the Noise Element of the General Plan and consistent with Title 21 of the California Code of Regulations, subject to conditions of this section of the Municipal Code that apply to all residential projects within the John Wayne Airport 60 dBA CNEL or higher CNEL noise as shown in Figures N4 and N5 of the Noise Element of the General Plan.

4.8.3 Existing Conditions[9]

Hazardous Materials and Transportation

Hazardous materials, as defined by the California Code of Regulations, are substances with certain physical properties that could pose a substantial present or future hazard to human health or the environment when handled, disposed, or otherwise managed improperly. Hazardous materials are grouped into the following four categories, based on their properties:

- Toxic – causes human health effects
- Ignitable – has the ability to burn
- Corrosive – causes severe burns or damage to materials
- Reactive – causes explosions or generates toxic gases

A hazardous waste is any hazardous material that is discarded, abandoned, or slated to be recycled. The criteria that define a material as hazardous also define a waste as hazardous. If handled, disposed, or otherwise handled improperly, hazardous materials and hazardous waste can result in public health hazards if released into the soil or groundwater or through airborne releases in vapors, fumes, or dust. Soil and groundwater having concentrations of hazardous material constituents higher than specific regulatory levels must be handled and disposed of as hazardous waste when excavated or pumped from an aquifer. The California Code of Regulations, Title 22, Sections 66261.20 through 66261.24 contain technical descriptions of toxic characteristics that could cause soil or groundwater to be classified as hazardous waste.

According to the Newport Beach General Plan EIR (General Plan EIR), hazardous materials in the City are routinely used, stored, and transported in commercial/retail businesses as well as in educational facilities, hospitals, and households. Hazardous materials users and waste generators in the City include businesses, public and private institutions, and households. The transport of hazardous materials through the City is regulated by Caltrans and California Highway Patrol. The U.S. EPA lists the following four transporters of hazardous waste in the City:

- Innovative Waste Control, Inc.- 1300 Bristol Street N., Suite 100

[8] City of Newport Beach. *City of Newport Beach Municipal Code – Section 20.30.080 Noise-Airport Environs Land Use Plan.* https://www.codepublishing.com/CA/NewportBeach/#!/NewportBeach20/NewportBeach2030.html#20.30.080. Accessed Dec. 5, 2023.

[9] City of Newport Beach. (2013) *City of Newport Beach General Plan Land Use Element Amendment Initial Study – Hazards and Hazardous Materials.* https://newportbeachca.gov/PLN/General_Plan/GP_EIR/Volume_1/11_Sec4.6_Hazards.pdf. Accessed November 27, 2023.

- R.E. Mockett – 1601 Antigua Way
- Roadway Construction Company Inc. – 4101 Westerly Place, Suite 101
- WBR Transportation, LLC – 2240 Newport Boulevard

Because Newport Beach has limited industrial land uses, most transportation of hazardous materials on the portions of the freeways and major roads that extend through the City is most likely conducted by companies that are not based out of Newport Beach.

Five methane gas mitigation districts have been identified in the City. Natural seepages of gas occur in the western and southwestern portions of the City. Special development regulations (Municipal Code Chapter 15.55 – Methane Overlay Zone), intended to prevent gases from accumulating, apply to projects located in methane overlay districts. The City identified the potential for methane gas seepage with the West Newport oil field and an old, abandoned landfill near the City's northwestern corner although they are not located near within or near a methane gas mitigation district

Database Review

The State of California Hazardous Waste and Substances Site List (also known as the Cortese List) is used by State and local agencies in providing information about the location of hazardous materials sites. The DTSC is responsible for preparing a portion of the information that comprises the Cortese List, through its EnviroStor database of sites listed pursuant to Section 25256 of the Health and Safety Code. This includes a listing of hazardous substance release sites selected for, and subject to, a response action. EnviroStor must update the list of sites at least annually to reflect new information regarding previously listed sites or the addition of new sites requiring a response action.

The GeoTracker database is the SWRCB data management system for managing sites that impact groundwater, especially those that require groundwater cleanup (LUSTs), as well as permitted facilities such as operating USTs and land disposal sites.

Table 4.8-1: Department of Toxic Substances Control Envirostor Database Listed Sites identifies three housing sites. Housing sites 141 and 235 are located on a listed site and housing site 100 is located adjacent to a listed site.

Table 4.8-1: Department of Toxic Substances Control EnviroStor Database Listed Sites

Housing Site	APN	Site Name	Address	Relation to Housing Sites	Status of Envirostor Site
100	445 134 22	Rockwell Semiconductor Systems	4311 Jamboree Road	Housing Site 100 is located adjacent to the Envirostor site	Inactive – Needs Evaluation
141	458 361 10	Loral Aerospace Corporation	1000 Ford Road	Housing Site 141 is located on the Envirostor site	Closed as of 8/28/1995
235	424 142 11	Hixson Metal Finishing	829 Production Place	Housing Site 235 is located on the Envirostor site	Active as of 4/28/2015. Soil Vapor Extraction system installed. Ongoing groundwater and soil gas rebound monitoring

Source: DTSC Envirostor, 2023.

Table 4.8-2: State Water Resources Control Board Geotracker Database Listed Sites shows the City's SWRCB's Geotracker database listed sites. All listed housing sites below are located on a Geotracker listed site; however all cases are closed.

Table 4.8-2: State Water Resources Control Board Geotracker Database Listed Sites

Housing Site	APN	Site Name	Address	Relation to Housing Sites?	Status of Envirostor Site
33	445 122 13	Koll Company	4400 MacArthur Boulevard	Housing site 33 is located on the Geotracker site.	Completed - Case Closed as of 3/4/1993
84	427 342 02	Jim Slemons Imports	1301 Quail Street	Housing site 84 is located on the Geotracker site.	Completed - Case Closed as of 07/13/1999
86	427 221 16	Westerly Place	1500 Quail Street	Housing site 86 is located on the Geotracker site.	Completed - Case Closed as of 12/09/1996
204	442 101 27	Four Seasons Hotel	690 Newport Center Drive	Housing site 204 is located on the Geotracker site.	Completed - Case Closed as of 01/28/2015
224	425 171 01	Newport Beach City and Corporate Yard	592 Superior Avenue	Housing site 224 is located on the Geotracker site.	Completed - Case Closed as of 07/24/2013
235	424 142 11	Hixon Metal Finishing	829 Production Place	Housing site 235 is located on the Geotracker site.	Completed - Case Closed as of 06/23/2009
238	424 401 08	Permalite Plastics Corporation	1537 Monrovia Avenue	Housing site 238 is located on the Geotracker site.	Completed - Case Closed as of 01/24/2002

Source: SWRCB Geotracker, 2023.

Methane Gas

Methane is a naturally occurring gas that typically forms as a by-product of bacterial digestion of organic matter, and therefore occurs ubiquitously, although generally at very low concentrations in the air. However, at high concentrations, methane is flammable and can cause asphyxiation due to oxygen displacement. Generally, methane forms in areas such as swamps, landfills, or areas associated with petroleum deposits.

There are two oil fields located in the City: Newport Oil Field, which is located in the western portion of the City, and West Newport Oil Field, which is located in the City's Sphere of Influence. Municipal Code Chapter 15.55, Methane Overlay Zone, identifies the following five methane gas mitigation districts:

- Channel Park located northerly of the intersection of Channel Place and River Avenue
- The alley bordered by Marcus Avenue, 35th Street, Lake Avenue and 36th Street.
- The parcel bordered by Superior Avenue, the southerly line of Tract No. 8336 (Villa Balboa), Newport Boulevard, and the southerly right-of-way line of West Coast Highway
- The City Corporation Yard located southerly of the intersection of Superior Avenue and Industrial Way and between Superior Avenue and Newport Boulevard
- The north-central portion of the Newport Townhomes Community, bordered by Units 3 to 10 (4405 to 4421 Pacific Coast Highway) and the adjacent parking lot bordering Coast Highway

Natural seepages of gas occur in the western and southwestern portions of the City. Additionally, there is the potential for methane gas seepage to be associated with the West Newport oil field even though it is not located within or next to a methane gas mitigation district. The City also associates methane gas seepage with an old, abandoned landfill near the City's northwestern corner.

Airports

Newport Beach lies beneath the arrival traffic pattern of Long Beach Airport and the standard departure pattern of John Wayne Airport. John Wayne Airport is located along the northern border of Newport Beach and generates nearly all aviation traffic above the City. John Wayne Airport has approximately 130 commercial flight per day.[10] More than 95 percent of all airplanes take off and ascend over the City. The City is located within the radius of the John Wayne Airport Land Use Compatibility Planning Area and is subject to noise, safety, or aircraft overflight for operations of that airport. An AELUP also addresses development considerations including building heights and land use restrictions depending on location of a site relative to the airport. Please refer to **Section 4.11: Noise** with respect to airport noise.

As previously noted, the AELUP identifies safety and compatibility zones that depict which land uses are acceptable and unacceptable in various portions of AELUP Safety Zones 1 through 6: Zone 1: Runway Protection Zone; Zone 2: Inner Approach/Departure Zone; Zone 3: Inner Turning Zone; Zone 4: Outer Approach/Departure Zone; Zone 5: Sideline Zone; and Zone 6: Traffic Pattern Zone. The following summarizes each zone as addressed in the AELUP for John Wayne Airport.

Safety Zone 1: Runway Protection Zone is defined as "a trapezoidal area off each end of a runway used to enhance the protection of people and property on the ground. The innermost of the safety zones." Residential land uses are prohibited.

Safety Zone 2: Inner Approach/Department Zone would extend beyond the Runway Protection Zone. Residential land uses are prohibited except on large agricultural parcels.

Safety Zone 3: Inner Turning Zone "encompasses locations where aircraft are typically turning from the base to final approach legs of the standard traffic pattern and are descending from traffic pattern altitude." The "zone also includes the area where departing aircraft normally complete the transition from takeoff power and flap settings to a climb mode and have begun to turn to their en route heading." Limited to very low density residential is considered acceptable "if not deemed unacceptable because of noise."

[10] City of Newport Beach. (ND) *John Wayne Airport Operations*. Retrieved from: https://www.newportbeachca.gov/government/departments/city-manager-s-office/john-wayne-airport. Accessed December 15, 2023.

Safety Zone 4: Outer Approach/Departure Zone is situated along the extended runway centerline beyond Zone 3. With respect to compatibility, it states "In undeveloped areas, limit (use is acceptable only if density/intensity restrictions are met) residential uses to very low densities (if not deemed unacceptable because of noise); if alternative uses are impractical, allow higher densities as infill in urban areas."

Safety Zone 5: Sideline Zone encompasses close-in areas lateral to runways. This area is typically on airport property, which is the case at John Wayne Airport. It is noted that residential uses are to be avoided unless airport related.

Safety Zone 6 has a "generally low likelihood of accident occurrence at most airports; risk concern primarily is with uses for which potential consequences are severe." The "zone includes all other portions of regular traffic patterns and pattern entry routes." Residential uses are allowed.

Where a site is within a Federal Aviation Regulation (FAR) Part 77 Obstruction Imaginary Surface Zone and the FAR Part 77 Notification Area of John Wayne Airport, notice to the Federal Aviation Administration (FAA) is required for any proposed structure more than 200 feet above the ground level of its site. Notices to the FAA provide a basis for evaluating a project's potential effects on operational procedures and air navigation. Coinciding with the FAA regulation, the ALUC also requires notification of all such proposals.

According to the provisions set forth in FAR Part 77, an object is an "Obstruction to Air Navigation" if it is of greater height than any imaginary surface established under the regulation. Imaginary surfaces exist primarily to prevent existing or proposed manmade objects, objects of natural growth or terrain from extending upward into navigable airspace. There are five imaginary surfaces which the FAA applies to public use airports for the purpose of determining obstructions to air navigation. These imaginary surfaces either slope out and up from all sides and ends of runways or are a horizontal plane or a sloping plain above public use airports. The imaginary surfaces are defined as:

- **Primary Surface:** Aligned (longitudinally) with each runway and extends 200 feet from each runway end
- **Horizontal Surface:** Horizontal plane 150 feet above the established airport elevation. Constructed by swinging arcs around the end of the primary surface
- **Conical Surface:** 20:1 slope surface extending beyond the horizontal surface
- **Transitional Surface:** Constructed to join approach and horizontal or approach and transitional surfaces
- **Approach Surface:** Longitudinally centered with the runway and extends beyond the primary surface

Wildland Fires

Wildland fires occur when developments are adjacent to open space or wildland fuels that can ignite when exposed to a natural occurrence (e.g., lighting) or by an unplanned or accidental human-caused activity. **Figure 4.18-1: Fire Hazard Severity Zones** in **Section 4.18: Wildfire** depicts the Local Responsibility Areas (LRAs) Very High Fire Severity Zones (VHFSZ) for Newport Beach; refer to **Section 4.18: Wildfire** for further information regarding wildland fires.

4.8.4 Thresholds of Significance

The City uses the thresholds of significance specified in the *State CEQA Guidelines Appendix G Environmental Checklist Form.* Impacts to population and housing would be significant if the Project would:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.
- Emit hazardous emissions or handle hazardous or acutely hazardous material, substances, or waste within one-quarter mile of an existing or proposed school.
- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or environment.
- Result in a safety hazard for people residing or working in the project area where the project is in an airport land use plan.
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

4.8.5 Methodology

This analysis considers the *State CEQA Guidelines, Appendix G* thresholds, as described above, in determining whether Project implementation would result in impacts related to hazards and hazardous materials. The evaluation was based on a review of regulations and determining their applicability for the proposed Project. Information on hazards and hazardous materials within the City was acquired through review of relevant databases and documents. A review of secondary sources, including published hazardous materials databases, was conducted. The review included the EnviroStor database, the GeoTracker database, and the City's adopted VHFHSZ Map. No site-specific surveys were conducted; instead, analysis relied on the use of existing information where reasonably foreseeable, direct, and indirect physical changes in the environment could be considered.

4.8.6 Project Impacts and Mitigation

Threshold 4.8-1:	**Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

The proposed Project would not directly construct new housing but would facilitate the development of residential units by adopting implementing actions associated with the 2021-2029 Housing Element.

Exposure of the public or the environment to hazardous materials can occur through transportation accidents; environmentally unsound disposal methods; improper handling of hazardous materials or

hazardous wastes (particularly by untrained personnel); and/or emergencies, such as explosions or fires. The severity of these potential effects varies by type of activity, concentration and/or type of hazardous materials or wastes, and proximity to sensitive receptors.

As a part of Project operations, hazardous materials would be limited to those associated with common household fertilizers, pesticides, paint, solvents, and petroleum products. Because these materials would be used in very limited quantities, they are not considered a significant hazard to the public. The proposed Project's impact on creating significant hazards to the public or the environment through the routine transport, use, or disposal of hazardous materials would be less than significant since all uses and facilities are required to comply with all applicable federal, State and regional regulations which are intended to avoid impacts to the public or environment.

Impact Summary: **Less than Significant Impact.** Through compliance with applicable laws, regulations, and General Plan policies, the Project would not create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

Threshold 4.8-2:	**Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

The proposed Project would not directly construct new housing, but would facilitate the development of residential units by adopting implementing actions associated with the 2021-2029 Housing Element.

Demolition and Construction Activities

Site-specific surveys to determine the presence or absence of hazardous materials on the housing sites have not been conducted for this program level EIR analysis. Review of regulatory databases (i.e., SWRCB GeoTracker and DTSC Envirostor) (**Table 4.8-1** and **Table 4.8-2**), identifies housing sites 141 (closed case) and 235 (active case) as located on a listed Envirostor site and housing site 100 (inactive case) as located adjacent to a listed Envirostor site. Housing sites 33, 84, 86, 204, 224, 235, and 238 are located on a Geotracker site; all of these cases are closed.

Because the contamination status of properties can change, as a part of the City's development review process, each housing site would be required to be evaluated and/or reevaluated, if and when the individual site is proposed for development or redevelopment with a residential land use. In addition to the facilities listed in **Table 4.8-1** and **Table 4.8-2**, each future individual site application proposed on a site with a current or former hazardous materials regulated facility would need to be evaluated in consultation with OCHCA-EH to determine if there is a contamination risk to a proposed residential use. Future development would be subject to comply with General Plan Safety Element Policy S 7.1, which requires proponents of projects in known areas of contamination from oil operations or other uses perform comprehensive soil and groundwater contamination assessments in accordance with American Society for Testing and Materials standards. These site-specific reports would include description of known and potential hazardous materials on a site, and recommend measures to remediation. Further, the policy requires remediation procedures prior to grading and development in collaboration with the OCHCA-EH, DTSC, or RWQCB, depending on the nature of the identified contamination.

Of the 247 housing sites, there are 21 sites that are vacant and undeveloped. Therefore, future housing development facilitated by the Project could require demolition of existing uses, which could release asbestos containing materials (ACM), lead-based paints (LBP), and other hazardous materials. Exposure to hazardous materials during construction activities could occur through direct contact with hazardous materials, incidental ingestion of hazardous materials, and inhalation of airborne dust release from dried hazardous materials. Remediation could also require the transport of hazardous materials. This transport would be limited in duration. Compliance with handling measures is required by the City, during construction and operational phases of future development projects. These measures include standards and regulations regarding the storage, handling, and use of hazardous materials. Therefore, future housing development facilitated by the Project could 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.

Federal and State regulations govern the renovation and demolition of structures where materials containing lead and asbestos are present. These regulations include the South Coast Air Quality Management District (SCAQMD) Rules and Regulations pertaining to asbestos abatement (including Rule 1403), Construction Safety Orders 1529 (pertaining to asbestos) and 1532.1 (pertaining to lead) from Title 8 of the California Code of Regulations, Part 61, Subpart M of the Code of Federal Regulations (pertaining to asbestos), and lead exposure guidelines provided by the U.S. Department of Housing and Urban Development (HUD). In addition, Cal-OSHA has regulations concerning the use of hazardous materials, including requirements for safety training, availability of safety equipment, hazardous materials exposure warnings, and emergency action and fire prevention plan preparation.

In addition to exposure to ACMs and LBPs, there is also the potential that grading and excavation of sites for future residential development may also expose construction workers and the public to potentially unknown hazardous substances present in the soil or groundwater. Compliance with General Plan Safety Element Policy S 7.4, which requires implementation of remediation efforts for contaminated surface water and groundwater resources, would minimize the potential risks to construction workers and the public. Compliance with the existing regulatory framework would ensure that future housing development on housing sites would not result exposure of construction workers or the public to hazardous substances in the soil or groundwater, and impacts are considered less than significant.

Construction activities associated with future residential development would include the use of materials such as fuels, lubricants, and greases in construction equipment and coatings used in construction. However, the materials used would not be in such quantities or stored in such a manner as to pose a significant safety hazard. These activities would be short-term or one-time in nature. Project construction workers would also be trained in safe handling and hazardous materials use. The use, storage, transport, and disposal of construction-related hazardous materials and waste would be required to conform to existing laws and regulations. Compliance with applicable laws and regulations governing the use, storage, and transportation of hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts to occur. If hazardous materials or waste are encountered during construction, all contaminated waste would be required to be collected and dispose of, at an appropriately licensed disposal or treatment facility. Furthermore, strict adherence to all emergency management program requirements set forth by the City of Newport Beach and Orange County Fire Authority (OCFA) would be required through the duration of the construction activities. Finally, adherence to General Plan Policy S 7.6, which requires that all users, producers, and transporters of hazardous materials and wastes clearly identify the materials that they

store, use, or transport, and to notify the appropriate city, County, State and federal agencies in the event of a violation, would further minimize the risk of exposure to hazardous materials from transport, use, or disposal during construction. Therefore, hazards to the public or the environment arising from the routine use of hazardous materials during construction of future residential development facilitated by the proposed Project would be less than significant.

The potential exists for future development facilitated by the Project to be subject to health and/or safety hazards associated with existing oil wells and methane gas. There are two oil fields in the City: Newport Oil field and West Newport Oil Field. Future development near the Newport Oil Field, West Newport Oil Field, or on housing sites within the Methane Overlay Zone would be subject to comply with specific requirements outlined in Municipal Code 15.55.040, which also requires testing of building site soils for the presence of methane gas and identify mitigation measures such as flared vent systems, underground collection systems, or other proven systems, devices or techniques to mitigate excessive methane levels. Other requirements include installation of an isolation barrier, consisting of a continuous, flexible, permanent and non-gas-permeable barrier beneath all newly constructed foundations and floors at ground level. Future development associated in the identified areas of the City would be subject to the provisions of Chapter 9.04.170 of the City's Fire Code, which regulates the development on or near land containing or emitting toxic, combustible or flammable liquids, gases, or vapors. Compliance with the existing regulatory framework as outlined in Municipal Code Chapters 15.55.040 and 9.04.170 would ensure that future housing development on housing sites would not result in health and/or safety hazards associated with existing oil wells and methane gas; impacts are considered less than significant.

Operations

Operation of the future residential development facilitated by the proposed Project would involve the use of small quantities of hazardous materials for cleaning and maintenance purposes, such as paints, household cleaners, fertilizers, and pesticides. No manufacturing, industrial, or other uses using large amounts of hazardous materials would occur as a result of the proposed Project. The use, storage, transport, and disposal of hazardous materials by future residents would be required to comply with existing regulations of several agencies, including the DTSC, U.S. EPA, Cal-OSHA, Caltrans, Orange County Environmental Health Division, and OCFA. Compliance with applicable laws and regulations governing the use, storage, transport, and disposal of hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts to occur. Implementation of the Project would not create a significant impact through the transport, use or disposal of hazardous materials since all uses and facilities are required to comply with all applicable federal, State and regional regulations which are intended to avoid impacts to the public or environment. Therefore, impacts to the public and the environment during operation of the future residential development facilitated by the Project would be less than significant.

Impact Summary: **Less than Significant Impact.** Implementation of the Project could potentially create a hazard to the public or the environment through exposure to contaminated materials, as a result of a previous hazardous material incident at a housing site or through the presence of asbestos-containing materials or lead-based paint. Compliance with the existing regulatory framework including General Plan policies would reduce Project impacts of creating 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.

Threshold 4.8-3:	**Would the Project emit hazardous emissions or handle hazardous or acutely hazardous material, substances, or waste within one-quarter mile of an existing or proposed school?**

As described in **Section 4.13: Public Services**, Newport Beach is served by three school districts. The Newport-Mesa Unified School District provides educational services to the cities of Newport Beach and Costa Mesa and other unincorporated areas of Orange County. The Santa Ana Unified School District serves the Airport Area. A small part of the eastern area of the City is served by the Laguna Beach Unified School District. Future housing development on housing sites facilitated by the Project would have a potentially significant impact on the environment from emitting hazardous emissions or substances within 0.25-mile of an existing or proposed school.

Residential development is typically not associated with the handling of hazardous materials, aside from construction activities as discussed above. Compliance with applicable laws and regulations governing the use, storage, and transportation of hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts to occur. Further, future housing development in known areas of contamination are subject to General Plan Policy S 7.1, which requires comprehensive soil and groundwater contamination assessments to identify and address potential release of hazardous materials into the environment.

Residential uses do not generate hazardous emissions or involve the handling of hazardous materials, substances, or waste in significant quantities that would have an impact to surrounding schools. The types of hazardous substances that would be routinely handled (e.g., pool chemicals, household cleaners, etc.) are similar to those found in schools. No significant impacts are anticipated.

Impact Summary: **Less than Significant Impact.** The Project evaluates future residential uses on the housing sites. Residential uses do not generate hazardous emissions or involve the handling of hazardous materials, substances, or waste in significant quantities that would have an impact to surrounding schools.

Threshold 4.8-4:	**Would the Project 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?**

None of the housing sites are included on a hazardous site list compiled pursuant to California Government Code Section 65962.5. [11] In addition to the Cortese List, federal, State and local governmental agencies maintain other lists of sites where hazardous materials may be present or used. Review of the California State Water Resources Control Board GeoTracker and the DTSC Envirostor databases noted sites that have or previously had cases associated with hazardous material spills, violations or incidents. As addressed under Threshold 4.8-2, the contamination status of each housing site with a current or

[11] California, State of, Department of Toxic Substances Control, DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List). https://dtsc.ca.gov/dtscs-cortese-list/. Accessed December 5, 2023.

former hazardous materially regulated facility would need to be evaluated if and when a residential land use is proposed.

Impact Summary: **No Impact.** No housing sites are listed on a Cortese List per Government Code Section 65962.5.

Threshold 4.8-5:	**Would the Project be 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?**

With respect to airport noise, please refer to **Section 4.11: Noise**; no significant impacts are identified. With regards to aviation-related safety hazards, the City's General Plan identifies a goal to protect residents, property, and the environment from aviation-related hazards in the Safety Element, and lists Policies S 8.1 though S 8.4 to ensure preparation and minimize risk in the case of an aviation accident. Policies S 8.1 and S 8.2 would require aircraft rescue firefighting training programs as well as awareness training for emergency personnel on a regular basis. Policy S 8.3 would implement policies outlined in the Orange County Fire Services Operational Area Mutual Aid Plan and the California Fire Service and Rescue Emergency Mutual Aid Plan.

Project implementation would facilitate housing development within the John Wayne Airport Notification Area. As previously addressed, where a site is within a Federal Aviation Regulation (FAR) Part 77 Obstruction Imaginary Surface Zone and the FAR Part 77 Notification Area of John Wayne Airport, notice to the FAA is required for any proposed structure more than 200 feet above the ground level of its site. Coinciding with the FAA regulation, the ALUC also requires notification of all such proposals. The notification area for Newport Beach, as it applies to the housing sites, is depicted on **Figure 4.8-1: John Wayne Airport Notification Area**.

Building height limits in these restricted zones are determined in accordance with the standards outlined in FAR Part 77 (Objects Affecting Navigable Airspace) of the FAA regulations. ALUC has incorporated these standards and FAR Part 77 definitions into the AELUP as guidelines for determining building height limits. As outlined in the AELUP, projects that fall within the FAR Part 77 Notification Area are required to file Form 7460-1 (Notice of Proposed Construction or Alteration) with FAA, which directs FAA to conduct an aeronautical study. The FAA uses the Orange County Board of Supervisors established building height limit of 203.68 feet above mean sea level to assess impacts to aviation activities of John Wayne Airport.

Table 3-15: Development Standards for Housing Opportunity Overlay Zones in **Section 3.0: Project Description** identifies the building heights for the Airport Area, West Newport Mesa, Dover-Westcliff, Newport Center, and Coyote Canyon Focus Areas. For the Airport Area and Newport Center, building heights are identified in the applicable zoning district for each site. For the West Newport Mesa, Dover-Westcliff,[12] and Coyote Canyon Focus Areas, the building height is 65 feet. Where the FAA and AELUP determine that future development would not exceed obstruction standards, there would be no impact to air navigation. Should a proposed structure exceed the established building height, additional analysis would be required as a part of the development review process.

[12] The height shall be limited to 35 feet in the Shoreline Height Limit Area.

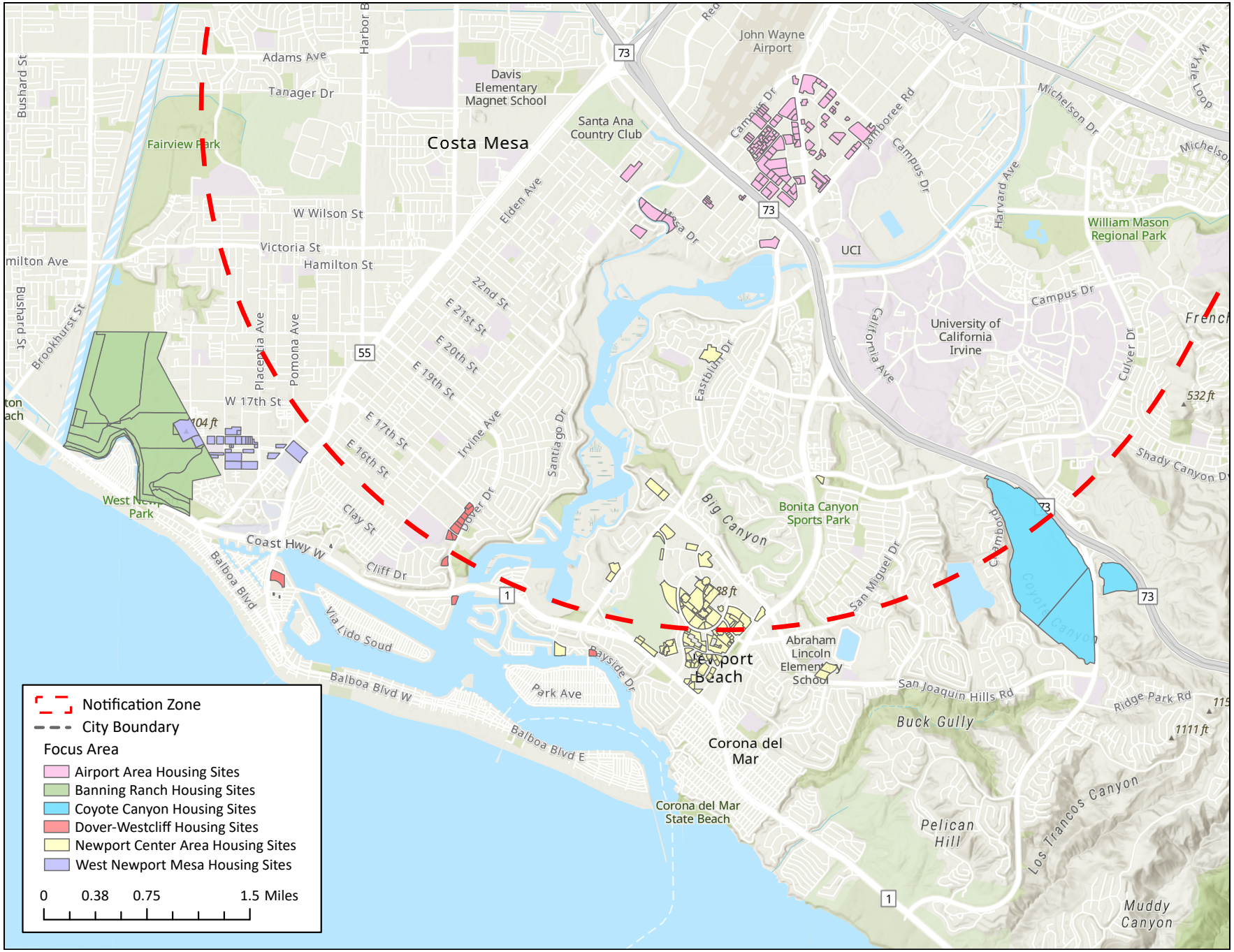

Figure 4.8-1: John Wayne Airport Notification Area
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Not to Scale

Table 4.8-3: Housing Sites Within John Wayne Airport Safety Zones and **Figure 4.8-2: Housing Sites Within John Wayne Airport Safety Zones** identify which housing sites are within the safety zones identified in the AELUP for John Wayne Airport. All of the housing sites are in the Airport Area Focus Area. As noted in the AELUP, the "Safety Compatibility Zones are defined for the 'Short General Aviation Runway' (length less than 4,000 feet) and the 'Medium General Aviation Runway' (length 4,000 to 5,999 feet).

For Medium General Aviation Runways, of the 100 housing sites identified in **Table 4.8-3**, there are 90 housing sites in Safety Zone 6, 1 housing site in Safety Zone 4, 2 housing sites in Safety Zone 3, 3 housing sites in both Safety Zones 4 and 6, and 4 housing sites in both Safety Zones 3 and 6. Because the safety zones for Short General Aviation Runways are smaller, all of the housing sites are either in Safety Zone 6 or outside of a safety zone.

As previously defined under Existing Conditions:

Safety Zone 6 has a "generally low likelihood of accident occurrence at most airports; risk concern primarily is with uses for which potential consequences are severe." The "zone includes all other portions of regular traffic patterns and pattern entry routes." Residential uses are allowed.

Safety Zone 4: Outer Approach/Departure Zone is situated along the extended runway centerline beyond Zone 3. With respect to compatibility, it states "In undeveloped areas, limit (use is acceptable only if density/intensity restrictions are met) residential uses to very low densities (if not deemed unacceptable because of noise); if alternative uses are impractical, allow higher densities as infill in urban areas."

Safety Zone 3: Inner Turning Zone "encompasses locations where aircraft are typically turning from the base to final approach legs of the standard traffic pattern and are descending from traffic pattern altitude." The "zone also includes the area where departing aircraft normally complete the transition from takeoff power and flap settings to a climb mode and have begun to turn to their en route heading." Limited to very low density residential is considered acceptable "if not deemed unacceptable because of noise."

For those housing sites in Safety Zone 6, residential uses are allowed and would not impact the standards or operations of this zone. For those housing sites exclusively in Safety Zone 4, the AELUP for John Wayne Airport states that higher densities as infill in urban areas if alternative uses are impractical. In Safety Zone 3, limited to very low density residential development is considered acceptable "if not deemed unacceptable because of noise." As noted, there are four housing sites – 70, 360, 363, and 367 – that are partially within Safety Zone 3; no sites are exclusively in Safety Zone 3. These housing sites are in Safety Zones 6 and 3. Should housing be proposed on any of these four housing sites, housing development in Safety Zone 3 would be limited to low-density residential uses as identified in the R-1 zoning district; no multi-unit residential uses would be permitted.

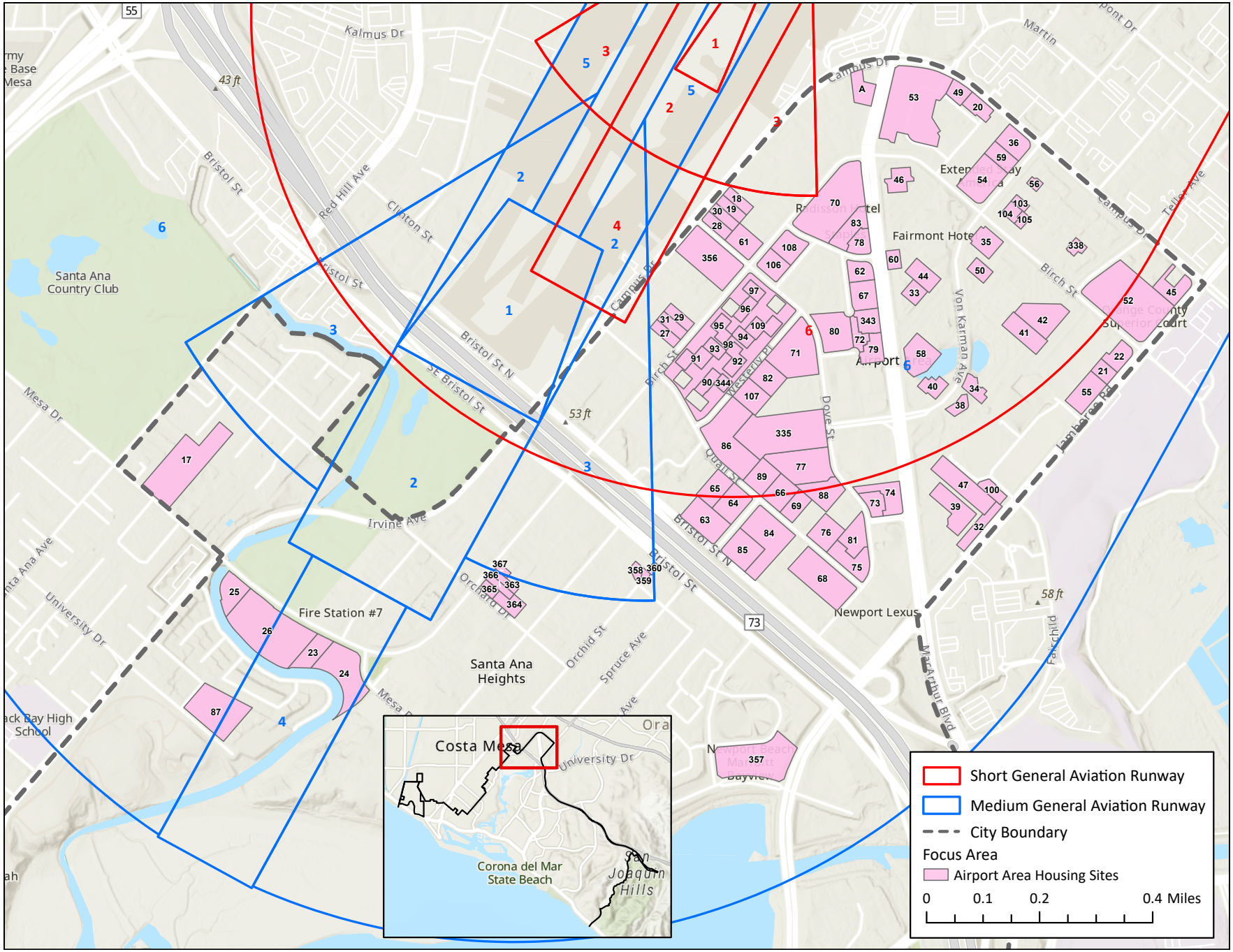

Figure 4.8-2: Housing Sites Within John Wayne Airport Safety Zones

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Not to Scale

Table 4.8-3: Housing Sites within John Wayne Airport Safety Zones

Housing Site	Parcel Number	Safety Zone	
		Medium General Aviation Runway	Short General Aviation Runway
17	439 241 20	Zone 6	
18	427 121 24	Zone 6	Zone 6
19	427 121 24	Zone 6	Zone 6
20	445 121 17	Zone 6	Zone 6
21	445 161 03	Zone 6	
22	445 161 03	Zone 6	
23	119 300 17	Zone 4	
24	119 310 04	Zone 4, Zone 6	
25	119 300 15	Zone 6	
26	119 300 16	Zone 4, Zone 6	
27	427 131 16	Zone 6	Zone 6
28	427 121 01	Zone 6	Zone 6
29	427 131 14	Zone 6	Zone 6
30	427 121 02	Zone 6	Zone 6
31	427 131 15	Zone 6	Zone 6
32	445 131 26	Zone 6	
33	445 122 13	Zone 6	Zone 6
34	445 133 06	Zone 6	Zone 6
35	445 131 21	Zone 6	Zone 6
36	445 121 11	Zone 6	Zone 6
38	445 131 23	Zone 6	Zone 6
39	445 131 15	Zone 6	
40	445 122 05	Zone 6	Zone 6
41	445 131 18	Zone 6	Zone 6
42	445 131 19	Zone 6	Zone 6
44	445 122 12	Zone 6	Zone 6
45	445 151 09	Zone 6	
46	445 122 09	Zone 6	Zone 6
47	445 131 31	Zone 6	
49	445 121 05	Zone 6	Zone 6
50	445 131 09	Zone 6	Zone 6
52	445 151 01	Zone 6	Zone 6
53	445 121 14	Zone 6	Zone 6
54	445 121 18	Zone 6	Zone 6
55	445 161 04	Zone 6	
56	445 141 04	Zone 6	Zone 6
58	445 122 17	Zone 6	Zone 6
59	445 121 09	Zone 6	Zone 6
60	445 122 19	Zone 6	Zone 6

Table 4.8-3: Housing Sites within John Wayne Airport Safety Zones

Housing Site	Parcel Number	Safety Zone	
		Medium General Aviation Runway	Short General Aviation Runway
61	427 121 27	Zone 6	Zone 6
62	427 173 01	Zone 6	Zone 6
63	427 332 02	Zone 6	
64	427 332 04	Zone 6	Zone 6
65	427 332 03	Zone 6	Zone 6
66	427 221 14	Zone 6	Zone 6
67	427 181 01	Zone 6	Zone 6
68	427 241 13	Zone 6	
69	427 221 13	Zone 6	Zone 6
70	427 174 04	Zone 3, Zone 6	Zone 6
71	427 221 01	Zone 6	Zone 6
72	427 181 08	Zone 6	Zone 6
73	427 222 05	Zone 6	
74	427 222 06	Zone 6	
75	427 221 10	Zone 6	
76	427 221 11	Zone 6	
77	427 221 06	Zone 6	Zone 6
78	427 174 06	Zone 6	Zone 6
79	427 181 07	Zone 6	Zone 6
80	427 181 03	Zone 6	Zone 6
81	427 221 09	Zone 6	
82	427 221 02	Zone 6	Zone 6
83	427 174 05	Zone 6	Zone 6
84	427 342 02	Zone 6	
85	427 342 01	Zone 6	
86	427 221 16	Zone 6	Zone 6
87	439 401 01	Zone 4, Zone 6	
88	427 221 07	Zone 6	Zone 6
89	427 221 15	Zone 6	Zone 6
90	427 141 14	Zone 6	Zone 6
91	936 790 44	Zone 6	Zone 6
92	936 790 50	Zone 6	Zone 6
93	427 141 04	Zone 6	Zone 6
94	427 141 11	Zone 6	Zone 6
95	936 790 48	Zone 6	Zone 6
96	427 141 07	Zone 6	Zone 6
97	427 141 08	Zone 6	Zone 6
98	427 141 16	Zone 6	Zone 6
100	445 134 22	Zone 6	

Table 4.8-3: Housing Sites within John Wayne Airport Safety Zones

Housing Site	Parcel Number	Safety Zone	
		Medium General Aviation Runway	Short General Aviation Runway
103	445 141 11	Zone 6	Zone 6
104	445 141 12	Zone 6	Zone 6
105	445 141 13	Zone 6	Zone 6
106	427 171 02	Zone 6	Zone 6
107	427 221 03	Zone 6	Zone 6
108	427 171 03	Zone 6	Zone 6
109	936 790 46	Zone 6	Zone 6
335	427 221 17	Zone 6	Zone 6
338	445 141 31	Zone 6	Zone 6
343	427 181 09	Zone 6	Zone 6
344	427 141 13	Zone 6	Zone 6
356	427 131 09	Zone 6	Zone 6
357	442 282 02	Zone 6	
358	439 021 13	Zone 3	
359	439 021 12	Zone 3	
360	439 021 03	Zone 3, Zone 6	
363	439 352 21	Zone 3, Zone 6	
364	439 341 01	Zone 6	
365	439 352 17	Zone 6	
366	439 352 20	Zone 6	
367	439 352 22	Zone 3, Zone 6	
A	427 111 08	Zone 6	Zone 6

Source: GIS mapping modified by Kimley-Horn, 2023.

As previously noted, ALUCs are not implementing agencies in the manner of local governments, nor do they issue permits for a project such as those required by local governments. However, pursuant to California Public Utilities Code Section 21676, local governments are required to submit all general plans, specific plans, general plan amendments, and zone changes that occur in the ALUC planning areas for consistency review by the ALUC. If such an amendment or change is deemed inconsistent with the ALUC plan, a local government may override the ALUC decision by a two-thirds vote of its governing body, if it makes specific findings that the proposed action is consistent with the purposes stated in Section 21670(a)(2) of the Public Utilities Code: "to protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards in areas around public airports to the extent that these areas are not already devoted to incompatible uses." Therefore, inconsistency with a finding of the ALUC for John Wayne Airport would not preclude the City from approving a future residential development on one of the housing sites.

The General Plan EIR notes that the highest probability of an air crash incident would occur between two light aircraft or helicopters in a mid-air crash. The probability of this type of an air crash is higher along the coast because of training flights, sightseeing, and banner towing over the beach area. Such an incident

would result in moderate ground damage. A worst-case scenario would be a mid-air collision, at night, between two commercial airliners over a densely populated area of the City. Although accidents with one or more fatalities involving commercial aircraft are rare events, ongoing potential growth and development could place people at risk for an aviation hazard.

The General Plan EIR notes that in the event of an aviation hazard, pilots are instructed to follow Newport Bay away from residential or developed areas. "Any potential impact will be significantly reduced by fast, coordinated, and skilled response operations of all available emergency services." This would include the use of mutual aid participating parties as well as on-site airport fire service at John Wayne Airport.

While future housing development and non-residential development in the City, inclusive of the Airport Area, would increase the number of residents and non-residents proximate to John Wayne Airport, individual projects would be subject to development review by the City and where a General Plan amendment, Specific Plan or PC amendment, or a rezone is required, the project would also be subject to the review of the ALUC. A determination would be made by the City regarding whether future development on housing sites within a AELUP Safety Zone would result in a potential safety hazard. Based on the locations of the majority of the housing sites located in Safety Zone 6, the allowance for residential uses in Safety Zone 4, and the restriction of only low-density residential uses in Safety Zone 3, the potential for airport safety hazard impacts are considered less than significant.

Impact Summary: **Less Than Significant Impact.** Housing in Safety Zone 3 would be restricted to low-density residential uses consistent with the AELUP. Residential uses in Safety Zone 6 and Safety Zone 4 are considered less than significant.

Threshold 4.8-6:	**Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

Future development facilitated by the Project would not impair or physically interfere with an adopted emergency response or evacuation plan. The City's Emergency Operations Plans provides guidance for the City of Newport Beach's response to emergency situations associated with natural disasters, technological incidents, and national security emergencies.[13] The Emergency Operations Plans identify evacuation routes, emergency facilities, and personnel, and describes the overall responsibilities of federal, State, regional, and city entities. The Newport Beach City Manager and the Emergency Services Coordinator within the NBFD are responsible for revisions to the EOP and ensuring that revisions are coordinated, published, and distributed to Department Directors. The General Plan Safety Element also contains Policies S 9.1, S 9.2, and S 9.3 to ensure that the City's Emergency Management Plan is regularly updated, provides for efficient and orderly citywide evacuation, and also ensures that emergency services personnel are familiar with the relevant response plans applicable to the City. Further, Policy S 9.5 calls for the distribution of information about emergency planning to community groups, schools, religious institutions, business associations, and residents.

Future housing development facilitated by the Project would be subject to Municipal Code Chapter 2.20.050 (Emergency Operations Plan) and Chapter 9.04 (Fire Code). Municipal Code Sections 9.04.110 – 9.04.160 outlines fire apparatus access road standards to provide sufficient access for emergency

[13] City of Newport Beach. *Emergency Operations Plan.* https://www.newportbeachca.gov/home/showpublisheddocument/17901/635682493202100000. Accessed December 5, 2023.

equipment. Additionally, Municipal Code Chapter 9.04 (Fire Code) also sets standards for road dimension, design, grades, and other fire safety features. Further, the latest California Building Code (CBC) also contains standards for new construction and development related to emergency events such as seismic events. Future development on housing sites would be required to comply with applicable building and fire safety regulations required for the design of new housing and emergency access.

Future development facilitated by the Project would increase housing density in certain areas of the City, resulting in greater population concentrations within certain areas. However, the Project would not result in changes to the City's existing circulation network. No land uses are proposed that would impair the implementation of, or physically conflict with, the City's Emergency Management Plan. As a result, the Project would not conflict with any State or local plan aimed at preserving and maintaining adopted emergency response or emergency evacuation plans.

Impact Summary: **Less than Significant Impact.** The proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Threshold 4.8-7:	**Would the Project 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?**

As discussed in **Section 4.18, Wildfire**, a small portion of housing site 131 is located within the VHFHSZ (northwestern edge) while all of housing site 336 is located within the VHFHSZ. Both housing sites are within the Coyote Canyon Focus Area. Future residential development facilitated by the Project on these sites would consequently result in higher fire-related risks to people and structures. To minimize risk from wildfire, future development on the housing sites in high hazard severity zones are required to adhere to the 2022 California Fire Code, Title 19, Division 1, Section 3.07(b),[14] which establish ground clearances for firebreaks to reduce combustible materials near structures. Additionally, adherence to mandatory fire prevention requirements and regulations, including the California Fire Code (CFC) Chapter 49, Requirements for Wildland-Urban Interface (WUI) Fire Areas, would require applicants to prepare a fire protection plan for any sites located in the VHFHSZ or WUI areas.

Further, the City enforces minimum construction requirements for developments in very high fire hazard severity zones. New buildings, alterations and additions located in any Very High Fire Hazard Severity Zone (VHFHSZ) or Special Fire Protection Area are required to comply with the provisions of CBC Chapter 7A. (Municipal Code 15.04.050). The construction requirements outline special roofing materials, ventilation openings, and window and door materials that would reduce risk of fire hazards to residential property.

In addition, General Plan Safety Element Policies S 6.1 through S 6.9 are directly related to reducing the threat of fire hazards within the City. Policy S 6.2 requires implementation of hazard reduction through fuel modification for existing and new developments in urban wildland interface areas. Policy S 6.4 entails the use of fire-resistive, native plant species in fuel modification zones abutting sensitive habitats. Policy S 6.8 would continue to regularly update building and fire codes to provide for fire safety and design. Compliance with the existing regulatory framework, including CBC regulations, CFC regulations, and

[14] State of California (2021). *California Code of Regulations, California Fire Code, Title 19, Division 1, Section 3.07(b).* https://regulations.justia.com/states/california/title-19/division-1/chapter-1/subchapter-1/article-3/section-3-07/ Accessed Dec.5, 2023

General Plan policies would reduce impacts related to wildfire hazards to a less than significant level, and no mitigation is required.

Impact Summary: **Less than Significant Impact.** Compliance with the existing regulatory framework including the California Fire Code, and California Building Code would reduce impacts to a less than significant level.

4.8.7 Cumulative Impacts

The anticipated project-related impacts from future housing development facilitated by the proposed Project, in conjunction with cumulative development in the City, could result in impacts related to hazards and hazardous materials. Potential impacts would be site-specific and would require evaluation on a case-by-case basis at the project level when future development is proposed in accordance with the Housing Implementation Program.

All potential impacts from future housing development facilitated by the Project concerning hazards and hazardous materials would be less than significant in consideration of compliance with existing laws, ordinances, regulations and standards. As a result, cumulative impacts related to consistency with policies and regulations aimed at preventing and minimizing impacts from hazards and hazardous materials would be less than significant, as the Project would be consistent with applicable plans and policies. Further, individual future projects would be the City's development review process, which may include CEQA evaluation and required to demonstrate compliance with federal, State, and Local requirements. Therefore, with the application of applicable General Plan and regulatory requirements, the Project's contribution to a cumulatively considerable impact related to hazards and hazardous materials would be less than significant.

4.8.8 Mitigation Program

As noted, all future housing development facilitated by the Project would be subject to the City's development review process, which may include review pursuant to CEQA, and would be assessed on a case-by-case basis for potential effects concerning hazards and hazardous materials. Future housing development would be subject to compliance with relevant federal, State, and local requirements including requirements set forth in the Newport Beach General Plan and Newport Beach Municipal Code.

General Plan Policies

See **Section 4.8.2: Regulatory Setting** for complete policy text.

- Policy LU 6.15.3
- Policy S 6.2
- Policy S 6.4
- Policy S 6.5
- Policy S 6.7
- Policy S 7.1
- Policy S 7.2
- Policy S 7.6
- Policy S 8.6

Coastal Land Use Plan Policies

See **Section 4.8.2: Regulatory Setting** for complete policy text.

- Policy 2.8.1-1
- Policy 2.8.1-2
- Policy 2.8.1-3
- Policy 2.8.8-1

- Policy 2.8.8-2
- Policy 2.8.8-3
- Policy 2.8.8-4
- Policy 2.8.8-5
- Policy 2.8.8-6
- Policy 4.3.1-8

Mitigation Measures

No additional mitigation is required.

4.8.9 Level of Significance After Mitigation

Impacts related to hazards and hazardous materials would be less than significant.

4.8.10 References

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State of California Department of Toxic Substances Control (2021). *DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List*). Retrieved from: https://dtsc.ca.gov/dtscs-cortese-list/. Accessed: December 5, 2023.