

Summary Form for Electronic Document Submittal

Form F

Lead agencies may include 15 hardcopies of this document when submitting electronic copies of Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, or Notices of Preparation to the State Clearinghouse (SCH). The SCH also accepts other summaries, such as EIR Executive Summaries prepared pursuant to CEQA Guidelines Section 15123. Please include one copy of the Notice of Completion Form (NOC) with your submission and attach the summary to each electronic copy of the document.

SCH # _____

Project Title: City of Newman 6th Cycle Housing Element Update (2023-2031) and Safety Element Update

Lead Agency: City of Newman

Contact Name: Michael Holland, City Manager

Email: mholland@cityofnewman.com Phone Number: (209) 862-3725

Project Location: Newman Stanislaus
City *County*

Project Description (Proposed actions, location, and/or consequences).

The project includes the update to the *City of Newman 6th Cycle Housing Element Update Housing and Community Development (HCD) Revised Draft* (dated May 28, 2024).

The Housing Element Update plans for 1,832 housing units over the next eight years, which is 784 units more than the City's RHNA. A total of 23 housing opportunity sites have been identified to meet the RHNA; however, one site is a pipeline project and is therefore not evaluated in this initial study.

It is not expected that the updates to the City's Safety Element would result in any reasonably foreseeable physical changes. Therefore, this initial study will focus primarily on the physical changes of the Housing Element Update and include analysis of the Safety Element update as appropriate.

Identify the project's significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect.

Air Quality

Impact: One housing opportunity site planned for single family residential development has a development capacity of 348 units, which exceeds the associated SPAL screening criteria of 155 units.

Mitigation Measure:

AQ-1 The Community Development Department shall require an air quality analysis for residential projects whose dwelling unit count exceeds the dwelling unit screening threshold for residential uses as identified in the San Joaquin Valley Air Pollution Control District's Small Project Analysis Level: Residential Table. If the impact of an individual proposed residential project is found to be significant, the air quality analysis shall include mitigation measures to reduce operational criteria air pollutant emissions consistent with the air district's applicable criteria emissions thresholds of significance. The developer will be required to implement the measures.

Impact: Construction activities at each housing opportunity site could generate temporary and limited localized TAC emissions from diesel construction equipment.

Mitigation Measure:

AQ-2 Future developers of individual residential opportunity sites shall prepare a Construction Management Plan for review and approval by the Community Development Director or his designate. The Construction Management Plan shall include the following measures to reduce TAC emissions during construction at individual housing opportunity sites:

- a. Heavy-duty diesel vehicles will have 2010 or newer model year engines, in compliance with the California Air Resources Board's Truck and Bus Regulation;
- b. Idling of construction equipment and heavy-duty diesel trucks will be avoided where feasible, and if idling is necessary, it will not exceed three minutes;
- c. All construction equipment will be maintained and properly tuned in accordance with manufacturer's specifications and will be checked by a certified visible emissions evaluator; and
- d. All non-road diesel construction equipment will, at a minimum, meet Tier 3 emission standards listed in the Code of Federal Regulations Title 40, Part 89, Subpart B, §89.112. Further, where feasible, construction equipment will use alternative fuels such as compressed natural gas, propane, electricity or biodiesel.

Biological Resources

Impact: Project development could result in impacts to the American badger species from disturbance, injury, or mortality during construction.

Mitigation Measures:

BIO-1 Not more than 14 days prior to the commencement of ground-disturbing construction activities on the City's peripheral housing sites (e.g. Sites 1, 8, 9, 10, and 17), housing developers shall hire a qualified wildlife biologist to conduct surveys of the habitat on site to identify any potential American badger burrows/dens. If the survey results are negative (i.e., no badger dens observed), a letter report confirming absence shall be prepared and submitted to the City of Newman Community Development Department prior to issuance of a

grading permit for the housing site and no further mitigation is required.

If the results are positive (badger dens are observed), the qualified biologist shall determine if the dens are active by installing a game camera for three days and three nights to determine if the den is in use.

- a. If the biologist determines that a den may be active, coordination with the California Department of Fish and Wildlife shall be undertaken to develop a suitable strategy to avoid impacts to American badger. The strategy may include the following: the biologist shall install a one-way door in the den opening and continue use of the game camera. Once the camera captures the individual exiting the one-way door, the den can be excavated with hand tools to prevent badgers from reusing them. If the biologist determines that the den is a maternity den, construction activities shall be delayed during the maternity season (February to August), or until the badgers leave the den on their own accord or the biologist determines that the den is no longer in use.
- b. If the game camera does not capture an individual entering/exiting the den, the den can be excavated with hand tools to prevent badgers from reusing them.
- c. After dens have been excavated and the absence of American badger confirmed, a letter report shall be prepared and submitted to the City of Newman Community Development Department, prior to issuance of a grading permit for a housing site.

BIO-2 Worker Environmental Awareness Training. Prior to approval of a grading permit on the City's peripheral undeveloped housing sites (e.g. Sites 1, 8, 9, 10, 17, and 19), a qualified biologist shall conduct a training session for all construction personnel. At a minimum, the training shall include a description of special-status species potentially occurring in the housing site vicinity, including, but not limited to, American badger, San Joaquin kit fox, burrowing owl, Swainson's hawk, hoary bat, pallid bat, western red bat, and loggerhead shrike. Their habitats, general measures that are being implemented to conserve species as they relate to the housing site, and the boundaries within which construction activities will occur will be explained. Informational handouts with photographs clearly illustrating the species' appearances shall be used in the training session. All new construction personnel shall undergo this mandatory environmental awareness training. Documentation of completion of this training shall be submitted to the City of Newman Community Development Department prior to the start of ground disturbing activities.

Impact: Loss of or harm to individual kit foxes could result if they are present on a housing opportunity site and seek shelter during construction within artificial structures, such as stored pipes or exposed trenches.

Mitigation Measure:

BIO-3 The U.S. Fish and Wildlife Service *Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance* (USFWS 2011) shall be implemented prior to initiation of and during any construction activity on the City's peripheral housing sites (e.g. Sites 1, 8, 9, 10, and 17) by housing project developers to avoid unintended take of individual San Joaquin kit foxes.

Preconstruction/pre-activity surveys for San Joaquin kit fox shall be conducted no less than 30 days prior to the beginning of ground disturbance and/or construction activities or any project activity that may impact San Joaquin kit fox. The surveys shall include all work areas and a minimum 200-foot buffer of the construction site. The preconstruction surveys shall identify kit fox habitat features on the project site, evaluate use by kit fox and, if possible, assess the potential impacts of the proposed activity. The status of all dens shall be determined and mapped.

If a natal/pupping den is discovered at a housing opportunity site or within 200 feet of the site, the applicant

shall consult with the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service to establish an appropriate avoidance buffer. The avoidance buffer shall be maintained until such time as the burrow is no longer active and/or an incidental take permit is determined to be required and is obtained.

In addition, the following measures shall be observed:

- a. Project-related vehicles shall observe a 20-mph speed limit in all project areas; this is particularly important at night when kit foxes are most active. To the extent possible, night-time construction shall be minimized. Off-road traffic outside of designated project area shall be prohibited.
- b. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of any project, all excavated, steep-walled holes or trenches more than two feet deep shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the procedures under number 11 of the Construction and Operational Requirements in the Standardized Recommendations must be followed.
- c. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipe becoming trapped or injured. All construction pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the U.S. Fish and Wildlife Service has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved once to remove it from the path of construction activity, until the fox has escaped.
- d. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in closed containers and removed at least once a week from a construction or project site.
- e. No firearms shall be allowed on the project site during construction activities.
- f. To prevent harassment, mortality of kit foxes or destruction of dens by dogs or cats, no pets shall be permitted on site during construction activities.
- g. Use of rodenticides and herbicides on the project site during construction shall be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the U.S. Fish and Wildlife Service. If rodent control must be conducted, zinc phosphide shall be used because of proven lower risk to kit fox.
- h. In the case of trapped animals, escape ramps or structures shall be installed immediately to allow the animal(s) to escape.
- i. Any contractor, employee, or agency personnel who inadvertently kills or injures a San Joaquin kit fox shall immediately report the incident to the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service.
- j. The applicant shall submit weekly reports on construction monitoring activities to the City of Newman Community Development Department. An occupancy permit shall not be issued without receipt of the

weekly reports.

Impact: If burrowing owl is present on or adjacent to a project site, construction activities could result in the loss or disturbance of this individual animal.

Mitigation Measure:

BIO-4 To avoid loss of or harm to burrowing owl, the following measures shall be implemented by housing project developers:

- a. Prior to issuance of a grading permit on the City's peripheral housing sites (e.g. Sites 1, 8, 9, 10, 17, and 19), and to avoid/minimize impacts to burrowing owls potentially occurring within the project site, the applicant shall retain a biologist qualified in ornithology to conduct surveys for burrowing owl. The qualified biologist shall conduct a two-visit (i.e., morning and evening) presence/absence survey at areas of suitable habitat on and adjacent to the project site boundary no less than 14 days prior to the start of construction or ground disturbance activities. Surveys shall be conducted according to the methods for take avoidance described in the Burrowing Owl Survey Protocol and Mitigation Guidelines (CBOC 1993) and the Staff Report on Burrowing Owl Mitigation (CDFW 2012). If no burrowing owls are found, a letter report confirming absence shall be prepared and submitted to the City of Newman Community Development Department and no further measures are required.
- b. Because burrowing owls occupy habitat year-round, seasonal no-disturbance buffers, as outlined in the Burrowing Owl Survey Protocol and Mitigation Guidelines (CBOC 1993) and the Staff Report on Burrowing Owl Mitigation (CDFW 2012), shall be in place around occupied habitat prior to and during any ground disturbance activities. The following table includes buffer areas based on the time of year and level of disturbance (CDFW 2012), unless a qualified biologist approved by the California Department of Fish and Wildlife verifies through non-invasive measures that either: 1) birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance Buffers (meters)		
		Low	Med	High
Nesting Sites	April 1 – Aug 15	200 m	500 m	500 m
Nesting Sites	Aug 16 – Oct 15	200 m	200 m	500 m
Nesting Sites	Oct 16 – Mar 31	50 m	100 m	500 m

- c. If burrowing owl is found and avoidance is not possible, burrow exclusion may be conducted by qualified biologists only during the non-breeding season, before breeding behavior is exhibited and after the burrow is confirmed empty through non-invasive methods, such as surveillance. Occupied burrows shall be replaced with artificial burrows at a ratio of one collapsed burrow to one constructed artificial burrow (1:1). Evicted burrowing owls may attempt to colonize or re-colonize an area that would be impacted, thus ongoing surveillance during project activities shall be conducted at a rate sufficient to detect burrowing owls if they return.
- d. If surveys locate occupied burrows in or near construction areas, consultation with the California

Department of Fish and Wildlife shall occur to interpret survey results and develop a project-specific avoidance and minimization approach. Once the absence of burrowing owl has been confirmed, a letter report shall be prepared and submitted to the City of Newman Community Development Department.

Impact: Construction activities at the housing opportunity sites could result in the disturbance of nesting sites occupied by Swainson's hawk on or adjacent to the project site, if present. The change in land use from agricultural to developed uses would cause a loss of Swainson's hawk foraging habitat at the project site.

Mitigation Measures:

BIO-5 For development proposed on the City's peripheral housing sites (e.g. Sites 1, 8, 9, 10, 17, and 19), housing project development shall implement the following measures to avoid loss of or harm to Swainson's hawk and other raptors:

- a. Tree and vegetation removal shall be completed during the nonbreeding season for raptors (September 16–January 31).
- b. To avoid, minimize, and mitigate potential impacts on Swainson's hawk and other raptors nesting on or adjacent to the project site, retain a qualified biologist to conduct preconstruction surveys and identify active nests on and within 0.5 mile of the project site for construction activities conducted during the breeding season (February 1–September 15). The surveys shall be conducted before the approval of grading and/or improvement plans (as applicable) and no less than 14 days and no more than 30 days before the beginning of construction. Guidelines, provided in Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in the Central Valley (Swainson's Hawk Technical Advisory Committee 2000) or updated, current guidance, shall be followed for surveys for Swainson's hawk. If no nests are found, a report documenting the results of the survey shall be submitted to the City of Newman Community Development Department and no further mitigation will be required.
- c. Impacts on nesting Swainson's hawks and other raptors shall be avoided by establishing appropriate buffers around active nest sites identified during preconstruction raptor surveys. No project activity shall commence within the buffer areas until a qualified biologist has determined, in coordination with California Department of Fish and Wildlife, the young have fledged, the nest is no longer active, or reducing the buffer would not result in nest abandonment. California Department of Fish and Wildlife guidelines recommend implementation of 0.25- or 0.5-mile-wide buffers for Swainson's hawk nests, but the size of the buffer may be decreased if a qualified biologist, in consultation with California Department of Fish and Wildlife, determine that such an adjustment would not be likely to adversely affect the nest.

The appropriate no-disturbance buffer for other raptor nests (i.e., species other than Swainson's hawk) shall be determined by a qualified biologist based on site-specific conditions, the species of nesting bird, nature of the project activity, visibility of the disturbance from the nest site, and other relevant circumstances.

Monitoring of all active raptor nests by a qualified biologist during construction activities will be required if the activity has potential to adversely affect the nest. If construction activities cause the nesting bird to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the no-disturbance buffer shall be increased until the agitated behavior ceases. The exclusionary buffer will remain in place until the chicks have fledged or as otherwise determined appropriate by a qualified biologist.

BIO-6 If there is an active nest within ten miles of the project site, the following measures shall be implemented to

mitigate for the loss of Swainson's hawk foraging habitat:

- a. Prior to ground-disturbing activities, suitable Swainson's hawk foraging habitat shall be preserved to ensure replacement of foraging habitat lost as a result of the project, as determined by a qualified biologist, in consultation with California Department of Fish and Wildlife.
- b. The habitat value shall be based on Swainson's hawk nesting distribution and an assessment of habitat quality, availability, and use within Stanislaus County. The mitigation ratio shall be consistent with the guidelines included in the Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (*Buteo swainsoni*) in the Central Valley of California (CDFG 1994). These guidelines specify that the mitigation ratio shall be 1:1 if there is an active nest within one mile of the project site, 0.75:1 if there is an active nest within five miles but greater than one mile away, and 0.5:1 if there is an active nest within 10 miles but greater than five miles away. If there is an active nest within one mile of the project site, the mitigation ratio can be reduced to 0.5:1 if all of the mitigation land can be actively managed for prey production. Such mitigation shall be accomplished through either the transfer of fee title or perpetual conservation easement. The mitigation land shall be located within the known foraging area within Stanislaus County.
- c. There are two active (within the past five years) Swainson's hawk nests within five miles of the project site (CNDDDB Occurrences Nos. 2449 and 2451). To mitigate for the loss of foraging habitat for these nests, replacement foraging habitat shall be preserved at a mitigation ratio of 0.75:1 in consultation with California Department of Fish and Wildlife. Such mitigation shall be accomplished through either the transfer of fee title or perpetual conservation easement. The mitigation land shall be located within the known foraging area within Stanislaus County.

Impact: Construction activities at a project site could result in the disturbance of roost and natal sites occupied by special-status bats on or adjacent to the project site, if present.

Mitigation Measure:

BIO-7 All housing project developers shall implement the following measures to avoid loss of or harm to special-status bat species on any housing site:

- a. Approximately 14 days prior to tree removal or construction activities, a qualified biologist shall conduct a habitat assessment for bats and potential roosting sites in trees to be removed and in trees or building exteriors within 50 feet of any project construction. These surveys shall include a visual inspection of potential roosting features (bats need not be present) and a search for presence of guano within the project site, construction access routes, and 50 feet around these areas. Cavities, crevices, exfoliating bark, and bark fissures that could provide suitable potential nest or roost habitat for bats shall be surveyed. Assumptions can be made on what species is present due to observed visual characteristics along with habitat use, or the bats can be identified to the species level with the use of a bat echolocation detector such as an "Anabat" unit. Potential roosting features found during the survey shall be flagged or marked.
- b. If no roosting sites or bats are found, a letter report confirming absence shall be prepared and submitted to the City of Newman Community Development Department and no further mitigation is required.
- c. If bats or roosting sites are found, bats shall not be disturbed without specific notice to and consultation with California Department of Fish and Wildlife.

- d. If bats are found roosting outside of the nursery season (May 1 through October 1), California Department of Fish and Wildlife shall be consulted prior to any eviction or other action. If avoidance or postponement is not feasible, a Bat Eviction Plan will be submitted to California Department of Fish and Wildlife for written approval prior to project implementation. A request to evict bats from a roost includes details for excluding bats from the roost site and monitoring to ensure that all bats have exited the roost prior to the start of activity and are unable to re-enter the roost until activity is completed. Any bat eviction shall be timed to avoid lactation and young-rearing. If bats are found roosting during the nursery season, they shall be monitored to determine if the roost site is a maternal roost. This could occur by either visual inspection of the roost bat pups, if possible, or by monitoring the roost after the adults leave for the night to listen for bat pups. Because bat pups cannot leave the roost until they are mature enough, eviction of a maternal roost cannot occur during the nursery season. Therefore, if a maternal roost is present, a 50-foot buffer zone (or different size if determined in consultation with the California Department of Fish and Wildlife) shall be established around the roosting site within which no construction activities including tree removal or structure disturbance shall occur until after the nursery season.

Impact: If protected bird species are nesting adjacent to the project site during the bird nesting season, then noise-generating construction activities could result in the loss of fertile eggs, nestlings, or otherwise lead to the abandonment of nests.

Mitigation Measure:

BIO-8 To avoid impacts to raptors and other nesting birds during the nesting season (January 15 through September 15), all construction activities on any housing site should be conducted between September 16 and January 14, which is outside of the bird nesting season. If construction or project-related work is scheduled to begin during the nesting season (February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), a qualified biologist shall conduct nesting bird surveys.

- a. Two surveys for active bird nests will occur within 14 days prior to start of construction, with the final survey conducted within 48 hours prior to construction. Appropriate minimum survey radii surrounding each work area are typically 250 feet for passerines, 500 feet for smaller raptors, and 1,000 feet for larger raptors. Surveys will be conducted at the appropriate times of day to observe nesting activities. Locations off the site to which access is not available may be surveyed from within the site or from public areas. If no nesting birds are found, a letter report confirming absence will be prepared and submitted to the City of Newman Community Development Department and no further mitigation is required.
- b. If the qualified biologist documents active nests within the project site or in nearby surrounding areas, an appropriate buffer between each nest and active construction shall be established. The buffer shall be clearly marked and maintained until the young have fledged and are foraging independently. Prior to construction, the qualified biologist shall conduct baseline monitoring of each nest to characterize “normal” bird behavior and establish a buffer distance, which allows the birds to exhibit normal behavior. The qualified biologist shall monitor the nesting birds daily during construction activities and increase the buffer if birds show signs of unusual or distressed behavior (e.g., defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If buffer establishment is not possible, the qualified biologist or construction foreman shall have the authority to cease all construction work in the area until the young have fledged and the nest is no longer active. Once the absence of nesting birds has been confirmed, a letter report will be prepared and submitted to the City of Newman Community Development Department.

Impact: Project development of a housing site on the City's periphery could result in the loss of jurisdictional wetlands and waters.

Mitigation Measure:

BIO-9 Prior to initiation of ground disturbance or construction on the City's peripheral housing sites (e.g. Sites 1, 8, 9, 10, and 17), housing project developers shall retain a qualified biologist to determine the extent of potential wetlands and waterways regulated by the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and California Department of Fish and Wildlife (CDFW).

If the USACE claims jurisdiction, the applicant shall obtain a Clean Water Act Section 404 Nationwide Permit. If the impacts to the drainage features do not qualify for a Nationwide Permit, the applicant will proceed in obtaining an Individual Permit from the USACE. The applicant will then coordinate with the RWQCB to obtain a Clean Water Act Section 401 Water Quality Certification. If necessary, the applicant will coordinate with the CDFW to obtain a Streambed Alteration Agreement.

To compensate for temporary and/or permanent impacts to Waters of the U.S. that would be impacted as a result of the proposed project, mitigation shall be provided as required by the regulatory permits. Mitigation would be provided through one of the following mechanisms:

- a. A Wetland Mitigation and Monitoring Plan shall be developed that outlines mitigation and monitoring obligations for temporary impacts to wetlands and other waters as a result of construction activities. The Wetland Mitigation and Monitoring Plan would include thresholds of success, monitoring and reporting requirements, and site-specific plans to compensate for wetland losses resulting from the project. The Wetland Mitigation and Monitoring Plan shall be submitted to the appropriate regulatory agencies for review and approval during the permit application process.
- b. To compensate for permanent impacts, the purchase and/or dedication of land to provide suitable wetland restoration or creation shall ensure a no net loss of wetland values or functions. If restoration is available and feasible, a minimum 1:1 impact to mitigation ratio would apply to projects for which mitigation is provided in advance.

For improvements on the project site, the applicant shall comply with terms and conditions of the permits, including measures to protect and maintain water quality, restore work sites, and mitigation to offset temporary and/or permanent wetland impacts. applicant shall be responsible for implementation of this mitigation measure prior to issuance of a grading permit.

Cultural Resources

Impact: There is the potential during project-related excavation and construction for the discovery of unknown archaeological resources.

Mitigation Measure:

CR-1 If any prehistoric or historic subsurface archaeological resources, including tribal cultural resources, are discovered during ground-disturbing activities:

- a. All work within 50 feet of the resources shall be halted and a qualified archaeologist shall be consulted to assess the significance of the find according to CEQA Guidelines Section 15064.5.
- b. If any find is determined to be significant, representatives from the City of Newman Community Development Department and the archaeologist shall meet to determine the appropriate avoidance

measures or other appropriate mitigation.

- c. All significant prehistoric cultural materials and or tribal cultural resources recovered shall be, returned to Native American tribes traditionally and culturally affiliated with the area.
- d. In considering any suggested mitigation proposed by the consulting archaeologist to mitigate impacts to historical resources or unique archaeological resources, the City shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, proposed project design, costs, and other considerations.
- e. If avoidance is infeasible, other appropriate measures (e.g., data recovery) would be implemented.
- f. Work may proceed on other parts of the project site while mitigation for historical resources or unique archaeological resources is being carried out.

Impact: There is a potential that construction activities could accidentally uncover human remains.

Mitigation Measure:

CR-2 California Health and Safety Code Section 7050.5 and the CEQA Guidelines Section 15064.5(e) contain the mandated procedures of conduct following the discovery of human remains. According to the provisions in CEQA, if human remains are encountered at the site, all work in the immediate vicinity of the discovery shall cease and necessary steps to ensure the integrity of the immediate area shall be taken. The Stanislaus County Coroner shall be notified immediately. The Coroner shall then determine whether the remains are Native American. If the Coroner determines the remains are Native American, the Coroner shall notify the Native American Heritage Commission within 24 hours, who would, in turn, notify the person the Native American Heritage Commission identifies as the Most Likely Descendant of any human remains. Further actions shall be determined, in part, by the desires of the Most Likely Descendant. The Most Likely Descendant has 48 hours to make recommendations regarding the disposition of the remains following notification from the Native American Heritage Commission of the discovery. If the Most Likely Descendant does not make recommendations within 48 hours, the owner shall, with appropriate dignity, reinter the remains in an area of the property secure from further disturbance. Alternatively, if the owner does not accept the Most Likely Descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission.

Geology and Soils

Impact: It is possible that paleontological resources could be accidentally discovered during excavations or other related construction activities associated with development of the housing opportunity sites.

Mitigation Measure:

GEO-1 The following language shall be included in all demolition and grading permits associated with development of the housing opportunity sites: "If paleontological resources are discovered during demolition and earthmoving activities, work shall stop within 100 feet of the find until a qualified paleontologist can assess if the find is unique and, if necessary, develop appropriate treatment measures in consultation with the City Community Development Department."

Greenhouse Gas Emissions

Impact: Project design features must integrate BMPs 1 and 2 into individual future residential projects on opportunity sites identified in Housing Element Update in order to be consistent with GHG emissions targets described in the

Sacramento Metropolitan Air Quality Management District threshold guidance document.

Mitigation Measure:

GHG-1 All future individual projects proposed per the 6th Cycle Housing Element shall: 1) include no natural gas infrastructure (all projects shall be all-electric), and 2) include electric vehicle support improvements consistent with Tier 2 voluntary measures included in the latest adopted version the CALGreen, except that all EV capable spaces shall be instead EV ready. Inclusion of these design elements in each future residential project shall be verified by the City Building Official prior to issuance of a building permit.

Hazards and Hazardous Materials

Impact: Site grading activities and site remediation activities could result in the accidental release of hazardous materials from the development site soils into the environment.

Mitigation Measure:

HAZ-1 Developers of the housing opportunity sites are required to prepare a Phase I Environmental Site Assessment and submit for review and approval to the City of Newman's Community Development Department. The assessment shall include, but is not limited to:

- Results of the soil samples;
- Discussion of any environmental concerns onsite;
- Recommended mitigation measures, as necessary; and
- Confirmation of the need for a Phase 2 Environmental Site Assessment.

If applicable, describe any of the project's areas of controversy known to the Lead Agency, including issues raised by agencies and the public.

n/a

Provide a list of the responsible or trustee agencies for the project.

California Department of Housing and Community Development