

NEWMAN 2030 GENERAL PLAN EIR



City of Newman | October 4, 2006



DESIGN, COMMUNITY & ENVIRONMENT

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I INTRODUCTION

This Draft Environmental Impact Report (EIR) has been prepared to provide an assessment of the potential environmental consequences of adoption and implementation of the proposed City of Newman General Plan. This evaluation is designed to inform City of Newman decision-makers, other responsible agencies and the public-at-large of the nature of the General Plan and its effect on the environment. This EIR has been prepared in accordance with and in fulfillment of California Environmental Quality Act (CEQA) requirements. The City of Newman is the Lead Agency for the project.

A. Proposed Action

The proposed project, the Newman General Plan, is a complete revision of the existing General Plan, for which no comprehensive update has been completed since 1992. The proposed General Plan is the principal policy document for guiding future conservation and development of the area. Although the proposed Plan addresses a long-term planning horizon through 2030, it also provides overall direction to the day-to-day actions of the City, its elected officials and staff. The project is described in greater detail in Chapter 3.

The General Plan includes goals, policies and actions designed to implement the community's vision for Newman. The policies and actions are intended for use by the City to guide everyday decision-making and to ensure progress toward the attainment of the goals outlined in the Plan.

B. EIR Scope, Issues and Concerns

This document is a Program EIR that analyzes the proposed adoption and implementation of the Newman General Plan. As a Program EIR, it is not project-specific and does not evaluate the impacts of specific development that may be proposed under the General Plan. Such projects will require separate environmental review to secure the necessary discretionary development

permits. Therefore, while subsequent environmental review may be tiered off this EIR, it is not intended to address impacts of individual projects.

The scope of this Draft EIR was established by the City of Newman through the General Plan process. Issues addressed in this EIR are the following:

1. Aesthetics
2. Agricultural Resources
3. Air Quality
4. Biological Resources
5. Cultural Resources
6. Geology and Soils
7. Hazards and Hazardous Materials
8. Hydrology and Water Quality
9. Land Use
10. Noise
11. Population and Housing
12. Public Services
13. Transportation
14. Utilities

C. Report Organization

This Draft EIR is organized into the following chapters:

- ◆ **Chapter 1: Introduction**, provides a preface and overview describing both the intended use of the document, and the review and certification process of both the General Plan and the EIR.
- ◆ **Chapter 2: Report Summary**, summarizes environmental consequences that would result from the proposed project, describes recommended mitigation measures and indicates the level of significance of environmental impacts before and after mitigation. A Summary Table is also included for clarity.

- ◆ **Chapter 3: Project Description**, describes the proposed General Plan in detail, including a summary of the chapters of the proposed General Plan and a listing of proposed land use designation changes.
- ◆ **Chapter 4: Environmental Evaluation**, provides an analysis of the potential environmental impacts of the proposed project and presents recommended mitigation measures, if required, to reduce their significance.
- ◆ **Chapter 5: Alternatives to the Proposed Project**, considers two alternatives to the proposed project, including the CEQA-required “No Project Alternative.”
- ◆ **Chapter 6: CEQA-Required Assessment Conclusions**, discusses growth inducement, unavoidable significant effects and significant irreversible changes as a result of the project.
- ◆ **Chapter 7: Report Preparers** identifies preparers of the Draft EIR.

D. Environmental Review Process

The Draft EIR will be available for review by the public and interested parties, agencies and organizations for a period of at least 45 days, as required by State law.

Written comments on the Draft EIR are also encouraged for incorporation into the Final Environmental Impact Report (FEIR) and should be submitted to:

Mr. Michael Holland
Community Development Director/ City Manager
City of Newman Planning Commission
1162 Main Street
Newman, CA 95360

Following the close of the public comment period, a FEIR will be prepared to respond to all substantive comments regarding the Draft EIR. The FEIR will be made available for public review prior to consideration of its certification

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INTRODUCTION

by the City of Newman City Council. Once the City Council certifies the FEIR, it will also consider adoption of the Newman General Plan itself, which may be approved as drafted or modified, or denied.

2 REPORT SUMMARY

This summary presents an overview of the analysis contained in Chapter 4: Environmental Evaluation. CEQA requires that this chapter summarize the following: 1) areas of controversy; 2) significant impacts; 3) unavoidable significant impacts; 4) implementation of mitigation measures; and 5) alternatives to the project.

A. Project Under Review

This EIR evaluates the potential environmental effects of the Newman General Plan. The proposed General Plan updates the existing General Plan, which was adopted in 1992. The proposed Plan provides policy direction to accommodate growth through 2030, while maintaining Newman's quality of life, small-town character and agricultural traditions. The updated plan involves Sphere of Influence (SOI) and land use designation changes as well as revisions to goals, policies and actions. The Plan also proposes a number of circulation changes.

The project area for purposes of this EIR is the area within the existing city limits, as well as the city's proposed SOI, which is shown in Figure 3-2 in Chapter 3, Project Description. The eight elements of the proposed General Plan that are analyzed in this EIR are as follows:

- ◆ Land Use Element
- ◆ Transportation and Circulation Element
- ◆ Public Facilities and Services Element
- ◆ Recreational and Cultural Resources Element
- ◆ Natural Resources Element
- ◆ Health and Safety Element
- ◆ Community Design Element

A full description of the proposed General Plan is provided in Chapter 3.

B. Areas of Controversy

In addition to the various meetings held as part of the General Plan update process, the City of Newman held a public scoping meeting on July 18, 2006 to present the project and receive responses.

C. Significant Impacts

Under CEQA, a significant impact on the environment is defined as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise and objects of historic and aesthetic significance.

The proposed project has the potential to generate environmental impacts in a number of areas that could be significant:

- ◆ Aesthetics
- ◆ Air Quality
- ◆ Agricultural Resources
- ◆ Biological Resources
- ◆ Hydrology and Water Quality
- ◆ Geology, Soils & Seismicity
- ◆ Hazardous Materials
- ◆ Hydrology
- ◆ Land Use
- ◆ Noise
- ◆ Population and Housing
- ◆ Public Services
- ◆ Traffic
- ◆ Utilities

As shown in Table 2-1, most of the significant impacts in these areas would be reduced to a less-than-significant level due to the goals, policies and actions

included in the proposed General Plan. Impacts that would remain significant and unavoidable regardless of mitigation are discussed below in Section E: Unavoidable Significant Impacts.

D. Mitigation Measures

This Draft EIR concludes that the proposed General Plan is largely self-mitigating. As a result, the only significant impacts that have been identified in this Draft EIR are those which are significant and unavoidable, and for which no mitigation is available to reduce the level of impact to less than significant. Thus, there are no mitigation measures identified in this Draft EIR.

E. Unavoidable Significant Impacts

Section 15126.2(b) of the CEQA Guidelines requires that an EIR describe any significant impacts that cannot be avoided, even with the implementation of feasible mitigation measures. Significant unavoidable impacts were identified in the areas of agricultural resources, air quality, biological resources, noise, transportation and utilities. These impacts are identified in Table 2-1 as “SU” in the “Significance After Mitigation” column and listed as well in Table 6-2 in Chapter 6 (CEQA-Required Assessment Conclusions).

F. Alternatives to the Project

This Draft EIR analyzes alternatives to the proposed project. Four alternatives to the proposed project are considered:

- ◆ **No Project Alternative.** The No Project Alternative assumes the continuation of development and conservation under the existing General Plan.
- ◆ **Concentrated Growth Alternative.** The Concentrated Growth Alternative assumes the same amount of growth but would increase the den-

sity of density uses to reduce the amount of farmland that would be converted to urban uses.

- ◆ **Reduced Growth Alternative.** The Reduced Growth Alternative would decrease the overall amount of land planned for new urban development to reduce the amount of farmland that would be converted to urban uses. The density and intensity of land uses on the lands planned for urbanization however would remain the same as the density and intensity of land uses in the proposed General Plan.

As shown in Chapter 5, Alternatives, the Reduced Growth Alternative has the least environmental impact and is therefore the environmentally superior alternative.

G. Summary Table

Table 2-1 presents a summary of impacts and mitigation measures identified in this report. It is organized to correspond with the environmental issues discussed in Chapter 4.

The table is arranged in four columns: 1) environmental impacts; 2) significance prior to mitigation; 3) mitigation measures; and 4) significance after mitigation. For a complete description of potential impacts and suggested mitigation measures, please refer to the specific discussions in Chapter 4. Additionally, this summary does not detail the timing of mitigation measures. Timing will be further detailed in the mitigation monitoring program.

TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
AESTHETICS			
<i>There are no significant impacts to aesthetics, so no mitigation measures are necessary.</i>			
AGRICULTURAL RESOURCES			
Impact AG-1: While the policies and actions of the proposed General Plan would delay, reduce and partially offset the conversion of farmland, the conversion of prime farmland, unique farmland and farmland of statewide importance to urban uses as a result of implementation of the proposed General Plan would remain a <i>significant impact</i> .	S	The proposed General Plan policies work to reduce the impact to the extent feasible, and no additional mitigation is available.	SU
Impact AG-2: Although the policies of the proposed General Plan would reduce the impact of conflicts with existing County agricultural designations and zoning, the conflict would be still result in a temporary <i>significant impact</i> .	S	The proposed General Plan policies work to reduce the impact to the extent feasible, and no additional mitigation is available.	SU
Impact AG-3: While the policies of the proposed General Plan would reduce the impact of the proposed General Plan on existing Williamson Act contracts, there would still be a <i>significant impact</i> to existing Williamson Act contracts resulting from the proposed General Plan.	S	The proposed General Plan policies work to reduce the impact to the extent feasible, and no additional mitigation is available.	SU
Impact AG-4: While the policies and actions of the proposed General Plan would delay, reduce and partially offset cumulative impacts on agriculture, the conversion of farmland and impairment of agriculture as a result of implementation of the proposed General Plan, together with other development in the county and the region, would be a <i>significant cumulative impact</i> .	S	The proposed General Plan policies work to reduce the impact to the extent feasible, and no additional mitigation is available.	SU

LTS = Less Than Significant; S = Significant; SU = Significant Unavoidable Impact

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Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
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AIR QUALITY

<p>Impact AIR-1: Even through the proposed General Plan contains policies that reduce single-occupant vehicle trips and other air pollutants, the proposed General Plan would not be consistent with applicable air quality plans of the SJVAPCD, since population growth that could occur under the proposed General Plan would exceed that projected by StanCOG and used in projections for air quality planning. The projected growth would lead to an increase in the region's VMT, beyond that anticipated in the SJVAPCD's clean air planning efforts. As a result, the impact is considered <i>significant</i>.</p>	S	<p>The proposed General Plan policies work to reduce the impact to the extent feasible, and no additional mitigation is available.</p>	SU
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<p>Impact AIR-2: Cumulative development in Newman and its SOI would contribute to on-going air quality issues in the San Joaquin Valley Air Basin. This cumulative impact would be considered <i>significant</i>.</p>	S	<p>The proposed General Plan policies work to reduce the impact to the extent feasible, and no additional mitigation is available.</p>	SU
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BIOLOGICAL RESOURCES

<p>Impact BIO-1: While the proposed General Plan would reduce its project level impact to biological resources to a less-than-significant impact, it would still contribute to a <i>significant cumulative impact</i> associated with the loss of habitat for common and possible special-status species and the loss or displacement of wildlife that would have to compete for suitable habitats with existing adjacent populations.</p>	S	<p>The proposed General Plan policies work to reduce the impact to the extent feasible, and no additional mitigation is available.</p>	SU
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CULTURAL RESOURCES

Since the implementation of the proposed General Plan would not result in significant impacts to cultural resources, no mitigation measures are required.

LTS = Less Than Significant; S = Significant; SU = Significant Unavoidable Impact

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REPORT SUMMARY**

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
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GEOLOGY AND SOILS

The proposed General Plan would not result in significant impacts related to geology and soils; therefore, no mitigation measures are required.

HAZARDS AND HAZARDOUS MATERIALS

Since no significant hazards and hazardous materials-related impacts have been identified, no mitigation measures are required.

HYDROLOGY AND WATER QUALITY

Since no significant impacts were identified to hydrology and water quality as a result of the adoption and implementation of the proposed General Plan, no mitigation measures are required.

LAND USE

Since no significant impacts were identified, no mitigation measures are required.

NOISE

Impact NOI-1: Noise in Newman would increase significantly along many major roadways as development and population increase within the community. Although proposed General Plan policies and actions would help to mitigate traffic noise increases, they could remain significant in some areas with the adoption and implementation of the proposed General Plan policies and actions. This impact is significant.	S	The proposed General Plan policies work to reduce the impact to the extent feasible, and no additional mitigation is available.	SU
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POPULATION AND HOUSING

Since no significant impacts were identified concerning housing and population as a result of the adoption and implementation of the proposed General Plan, no mitigation measures are required.

LTs = Less Than Significant; S = Significant; SU = Significant Unavoidable Impact

Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
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PUBLIC SERVICES

Since no impacts were identified, no mitigation measures are required. Policies and mitigation measures that are identified in other sections of this EIR would also apply to any unforeseen impacts associated with the construction and operation of park or recreational facilities.

TRANSPORTATION

TRAF-1: Build out of the General Plan will result in LOS D, E or F conditions on various city streets which would operate at LOS C under the current General Plan. While improvements and policies contained in the proposed General Plan will help improve the operation of these roadway segments to the extent feasible, the impact will remain *significant*.

S The proposed General Plan policies work to reduce the impact to the extent feasible, and no additional mitigation is available.

SU

Impact TRAF-2: Buildout of the proposed General Plan will add traffic to the inter-regional roadway system, including streets in Merced and Stanislaus County outside of the city's SOI. While the proposed General Plan includes policies to work with regional transportation providers to address the needed improvements, because the regional roadways are outside the City's authority to impose mitigation, and funding mechanisms are not in place to improve the regional roadways, the impact is considered a *significant* impact.

S The proposed General Plan policies work to reduce the impact to the extent feasible, and no additional mitigation is available.

SU

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Significant Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<p>Impact TRAF-3: Buildout of the Newman General Plan could result in peak hour LOS in excess of LOS C at existing intersection on city streets. While it is possible that subsequent project-level analysis outside the scope of the General Plan-level analysis will identify improvements that could yield LOS C, because additional improvements are uncertain due to existing development constraints, conditions in excess of LOS C at intersections on city streets is considered a <i>significant</i> impact.</p>	S	The proposed General Plan policies work to reduce the impact to the extent feasible, and no additional mitigation is available.	SU
UTILITIES			
<p>Impact UTL-1: While there is adequate localized water available to support the proposed General Plan, since there is no study to determine the overall cumulative impact of regional growth on the groundwater supply and associated availability of water to support growth, there is a possibility that the proposed General Plan could contribute to a <i>cumulative significant</i> impact associated with groundwater supply.</p>	S	The proposed General Plan policies work to reduce the impact to the extent feasible, and no additional mitigation is available.	SU

LTS = Less Than Significant; S = Significant; SU = Significant Unavoidable Impact

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LTS = Less Than Significant; S = Significant; SU = Significant Unavoidable Impact

3 PROJECT DESCRIPTION

This EIR evaluates the potential environmental effects of the Newman General Plan. The proposed General Plan updates the existing General Plan, which was adopted in 1992. The proposed Plan provides policy direction to accommodate growth through 2030, while maintaining Newman’s quality of life, small-town character and agricultural traditions. The updated plan involves sphere of influence and land use designation changes as well as revisions to goals, policies and actions. This chapter describes the proposed General Plan.

A. Project Location and Setting

1. Location

The City of Newman is located in western Stanislaus County, immediately north of the Merced County line, approximately 100 miles southeast of San Francisco. As shown in Figure 3-1, Newman is 13 miles south of Patterson, five miles north of Gustine, and one mile west of the San Joaquin River. State Highway 33 passes through the center of the city. Interstate 5, California’s major north-south interstate corridor, is 5 miles west. Highway 99 is 15 miles east and Highway 152 to Gilroy and San Jose is 10 miles south.

2. Project Area

Newman is a small, compact town surrounded by farmland, with a traditional downtown and older neighborhoods on a rectilinear street grid at the city’s center and newer residential developments surrounding the historic core. Highway 33 and the Southern Pacific Railroad bisect the city and form the eastern edge of downtown. The Westside Marketplace on Highway 33 at the southern end of town includes local-serving retail and services. Newman’s industrial zone is east of Highway 33, from Kern Street south to the Merced County line. The northwest fringes of the city around Orestimba Road and Fig Lane contain rural residential transitional uses between higher intensity uses in town and surrounding agricultural land.

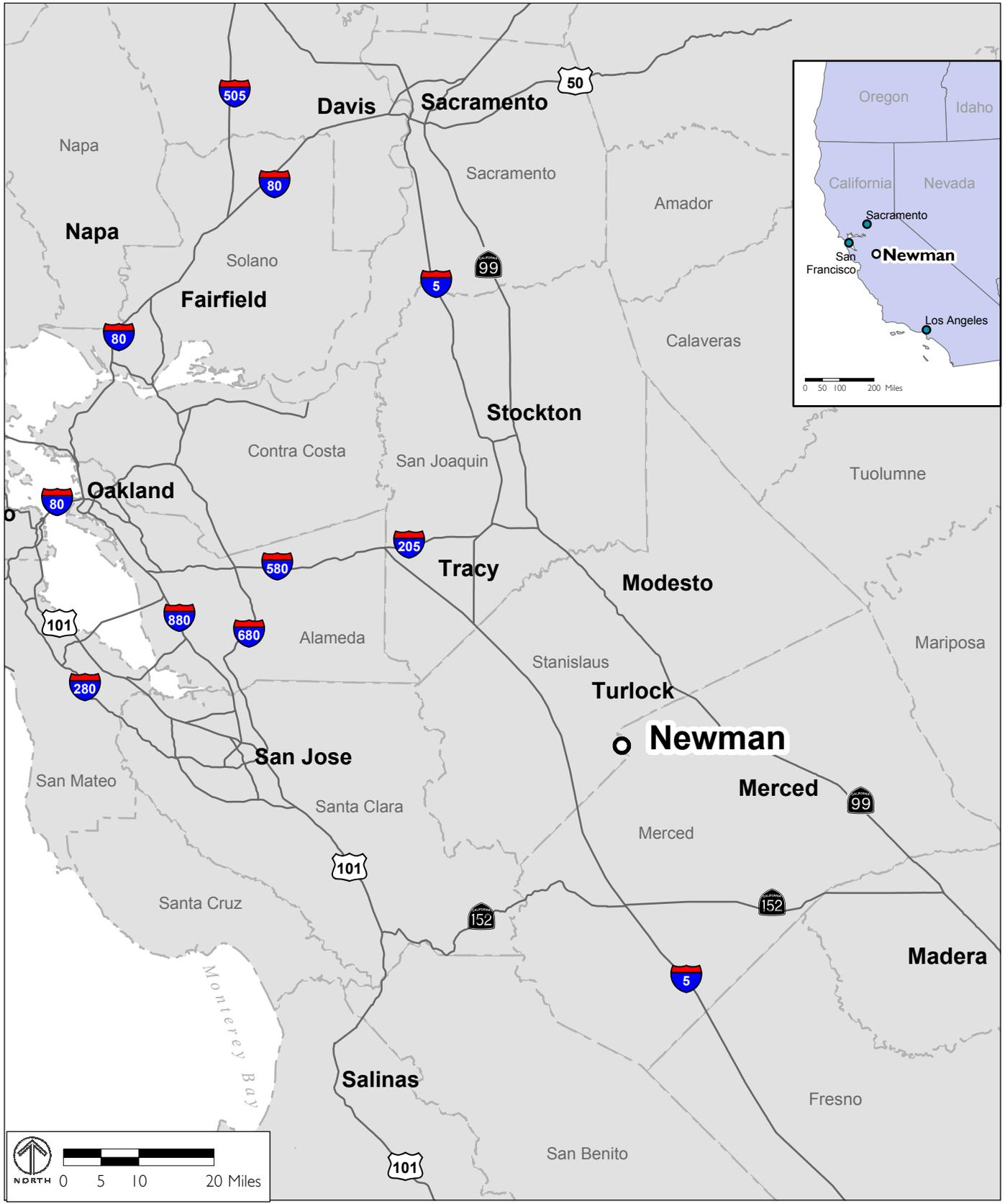


FIGURE 3-1
REGIONAL LOCATION

The project area for purposes of this EIR is the city's proposed Sphere of Influence (SOI), which is shown in Figure 3-2.¹ The SOI is an area comprising the incorporated city limits plus additional unincorporated territory outside the city that is the city's ultimate physical boundary and service area. It is the area that the City expects to annex in the future. The SOI is adopted by the county's Local Agency Formation Commission (LAFCO).²

In addition to the SOI, the Stanislaus County LAFCO requires cities to also establish a Primary SOI, which is to include land that is expected to be annexed within the next ten years or so. The proposed General Plan proposes slight expansions of both the Primary SOI and SOI. These and other proposed changes in the proposed General Plan are described below.

¹ The Planning Area is the area that was examined and considered in the preparation of the proposed General Plan and the area that is covered by the General Plan land use map. It includes all territory within the city limits as well as additional land outside the city limits and outside the city's SOI which bears relation to its planning. It encompasses almost 11,000 acres and extends roughly from Lundy Road on the north to the San Joaquin River on the east, the Newman Wasteway on the south and Eastin Road on the west. The part of the Planning Area outside the proposed SOI was not analyzed in this EIR because there are no changes proposed to existing uses in this area; the area is proposed to remain in the existing primarily agricultural use through 2030, the time frame of the proposed General Plan. Part of the Planning Area outside the proposed SOI is designated Urban Reserve. These lands are to be considered for development beyond the time frame of the proposed General Plan, but would remain in agriculture or open space through 2030.

² The LAFCO is the agency in each county that established spheres of influence for each city and special district and approves changes in local government boundaries or organization, with the purpose of discouraging urban sprawl, preserving agricultural land and encouraging the orderly formation and development of local government agencies.

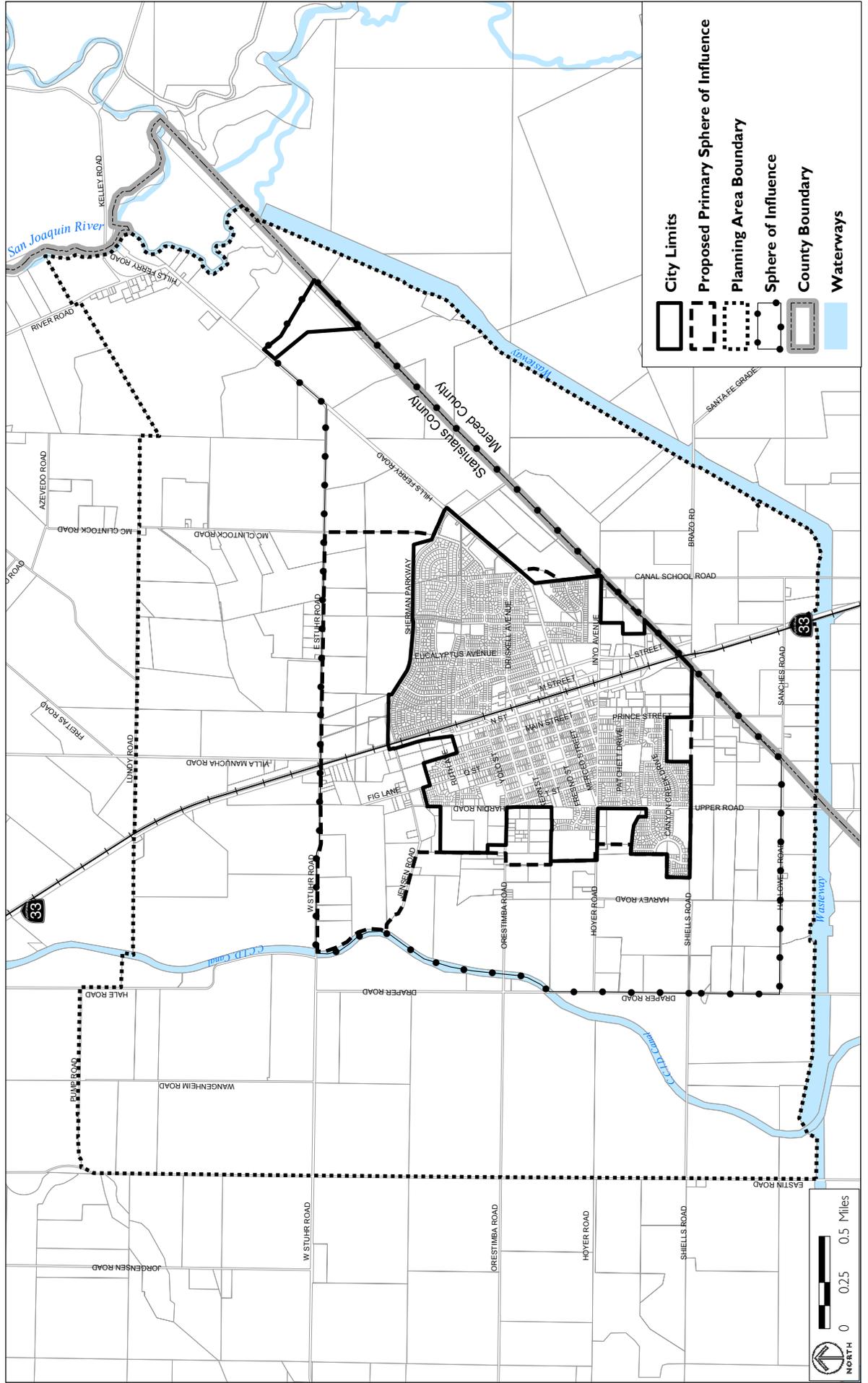


FIGURE 3-2

CITY LIMITS, PROPOSED SPHERE OF INFLUENCE AND PLANNING AREA

Table 3-1 shows existing land uses in the proposed SOI. The most prevalent land use is agriculture at 1,978 acres or nearly 74.6 percent of the project area, followed by public/quasi-public uses at 9.7 percent. There are an estimated 3,092 housing units, 461,000 square feet of commercial uses and 755,000 square feet of industrial uses in Newman.³

Newman grew an average of 5.5 percent per year in the 1990s, from 4,151 to 7,093, much faster than the State at 1.3 percent. Since 2000, the city's population has grown another 43 percent to 10,140.⁴ This rapid growth reflects regional growth pressures affecting the Central Valley, as people living in more expensive regions look for affordable housing in the Valley.

B. Project Objectives

This section describes the basic objectives of the proposed General Plan that is evaluated in this EIR. The project objectives were also an important basis for formulation of the alternatives to the project that meet these objectives and which are evaluated in Chapter 5.

Early in the General Plan update process, the City adopted a Vision Statement that is a description of what Newman wants to become through implementation of the General Plan. Included on page 3-7 is the Adopted Vision Statement for the City of Newman General Plan Update. This Statement represents an agreement among the citizens of Newman on basic community values, ideals and aspirations for development and conservation. It is an es-

³ The housing unit estimate for the city limits is from the California Department of Finance, Demographic Research Unit, 2006. Table 2: E-5 City/County Population and Housing Estimates, January 1, 2006. The commercial and industrial floor area estimate is for the city limits and sphere of influence and was developed by DC&E based on a review of the City's current traffic model.

⁴ California Department of Finance, Demographic Research Unit, 2006. Table 2: E-5 City/County Population and Housing Estimates, January 1, 2006.

sentential expression of the basic objectives of the General Plan and the basis for the Plan's land use map and goals, policies and actions.

C. The General Plan Update Process

The General Plan update was prepared by a team of City staff and consultants under the direction of a Steering Committee appointed by the City Council over a period of almost two years beginning in early 2005. Implementing actions were also added within each element.

The Steering Committee held a total of nine open public meetings to prepare the Plan. Interactive public workshops were combined with several of these meetings, and additional opportunities for public comment were made available, to ensure that the proposed General Plan would reflect the community's vision.

The process began with an analysis of existing conditions based on field observations, interviews, research, planning studies, and review of pertinent laws and regulations. The Steering Committee visited other communities that have incorporated high-quality development practices to get a first-hand look at projects that exemplify potential future directions for the City. The existing conditions and the pros and cons of the existing General Plan were considered to determine the issues to be addressed in the Plan update.

The update team and the Steering Committee worked together to draft a land use alternative and circulation plan that would address the issues. The alternative was evaluated for its planning and environmental impacts and how effectively it would address the issues. A preferred alternative was selected which consisted of the best features of each alternative and which is the basis for the proposed General Plan. A fiscal analysis of the alternative was conducted to ensure a solid City fiscal condition into the future. Goals, policies and actions were then developed that elaborate on and implement the preferred alternative, building on the policies of the existing General Plan.

D. The General Plan Update Process

The General Plan update was prepared by a team of City staff and consultants under the direction of a Steering Committee appointed by the City Council over a period of almost two years beginning in early 2005. Implementing actions were also added within each element.

The Steering Committee held a total of nine open public meetings to prepare the Plan. Interactive public workshops were combined with several of these meetings, and additional opportunities for public comment were made available for public review for a 45-day period beginning on October 4, 2006. Additional public comments on the proposed Plan and EIR may be made during this period and at the Planning Commission and City Council public hearings. The proposed General Plan and EIR will be refined based on comments received. A Final General Plan and EIR is expected to be considered for adoption by the Planning Commission and City Council in late 2006 to early 2007.

E. General Plan Contents

The Newman General Plan includes eight separate chapters, or “elements”, that set goals, policies and actions for each given subject. The elements include the subjects covered by the seven elements that are required by State law, although as allowed by law, they have been reorganized for ease of use and relevance to Newman.

The Housing Element, which by law must be updated every five years, was adopted in 2003 under a separate update process. Although an integral and consistent component of the General Plan, no changes to the Housing Ele-

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 PROJECT DESCRIPTION

TABLE 3-1 **EXISTING LAND USE IN THE PROPOSED SOI**

Land Use Category	City Limits		Proposed SOI		Total Acres
	Acres	Percent of Total	Acres	Percent of Total	
Agriculture	13	0.9	1,978	74.6	1,991
Commercial	31	2.3	1	0	32
Heavy Industrial	19	1.4	55	2.1	74
Industrial/Commercial	14	1.0	11	0.4	25
Light Industrial	36	2.6	8	0.3	44
Multi-Family Residential	23	1.7	1	0	24
Public/Quasi-Public	171	12.5	259	9.7	430
Rural Residential	50	3.7	127	4.8	177
Single Family Residential	611	44.6	125	4.7	736
Vacant	83	6.1	44	1.7	127
Commercial/Industrial	4	0.5	0	0	4
Office	2	0.2	0	0	2
Right- of- Way	313	22.8	44	1.7	305
TOTAL	1,370	100.0%	2,653	100.0%	3,971

Notes: Totals may not sum due to rounding. Based on the Stanislaus County land use database.

City of Newman General Plan Update
Adopted Vision Statement

The Vision Statement below is a description of what Newman wants to become through the implementation of its General Plan. The Vision Statement provides a sense of the purpose and mission for the General Plan and sets the tone for the Plan's goals, policies and actions.

Newman will continue to be a small town with a vibrant downtown surrounded by attractive residential neighborhoods and undeveloped agricultural and ranching lands. Newman is and will be a safe community where people know their neighbors. The historic fabric of the downtown and surrounding neighborhoods provide a strong sense of place and pride for residents.

Newman will be a walkable community, with a well-connected street grid, pedestrian amenities and bike lanes. Residents will be able to walk to downtown, to school, to work and through the city on safe, tree-lined streets. Newman's historic downtown will offer unique shops, services and restaurants, with the small town character preserved by design standards. Additional retail development will also be located along the Highway 33 corridor.

There will be a range of activities available in Newman for all residents, including youth and seniors. Parks scattered throughout the city will provide a variety of play equipment and facilities that promote community gatherings. A network of pedestrian trails and bike paths will connect residents to parks, schools, downtown and other destinations.

A range of housing types will be available in Newman, each meeting high design standards. New residential subdivisions will offer single-family homes that are affordable to a range of incomes and include sufficient yard space around each house. Multi-family housing, including townhouses, condominiums and apartments will be located throughout the community including in new development areas, on previously vacant lots, and in the downtown. New development will be well-integrated with Newman's existing fabric.

Newman will provide a variety of employment options for local residents, from entry-level to more advanced positions in the trade, office and higher-paying retail industries. These new jobs will occur in the downtown, along Highway 33, in industrial areas and in new employment areas.

A sufficient level of public services and infrastructure will be in place as Newman grows and future development will not negatively impact existing infrastructure. Roadways, police, fire and medical services, and water supply and wastewater treatment infrastructure will be provided to support the safe environment that residents value. There will be sufficient public schools, providing quality education to local residents. The quality of Newman's natural resources will be preserved and enhanced.

Newman will meet the challenge of managing growth while enhancing the small town flavor, safety and strong sense of community that attracts people to live here.

ment are proposed at this time and it is not a part of the project evaluated in this EIR.

The following is a brief explanation of the other eight elements of the proposed General Plan that are analyzed in this EIR.

- ◆ **Land Use Element.** The Land Use Element, the heart of the General Plan, designates the intensity and location of various types of residential, commercial, industrial, open space, recreational, public and agricultural uses.
- ◆ **Transportation and Circulation Element.** The Transportation and Circulation Element identifies the general location and extent of existing and proposed major streets and other transportation facilities to support the mix and layout of uses designated in the Land Use Element.
- ◆ **Public Facilities and Services Element.** This Element provides for adequate public facilities and services, including water, wastewater, drainage, solid waste and recycling, fire, police, schools, libraries, and healthcare, to serve existing residents and to maintain adequate service levels while accommodating growth.
- ◆ **Recreational and Cultural Resources Element.** This Element sets forth policies and actions for acquisition, development and improvement of Newman's parks and recreational facilities. The element addresses park standards, planning and design, inter-agency coordination, trails and greenways, recreation programs, and private recreation facilities. The Element also addresses the preservation of the community's archaeological and historical resources and heritage.
- ◆ **Natural Resources Element.** The Natural Resources Element provides direction regarding the conservation, development and use of natural resources in and around Newman, including agricultural land, water quality, vegetation and wildlife, and air quality.
- ◆ **Health and Safety Element.** This Element addresses risks associated with seismic and other geologic hazards, flooding and dam inundation, and hazardous materials, and provides for adequate emergency prepared-

ness. It also assesses the noise environment in the community and addresses noise problems.

- ◆ **Community Design Element.** The purpose of the Community Design Element is to identify, protect and enhance the positive characteristics of Newman’s built environment that contribute to its sense of place and contribute towards a high quality of life for its residents.

Each element of the General Plan contains background information and a set of goals, policies and actions.

- ◆ A **goal** is a description of the general desired result the City seeks to create through implementation of the General Plan.
- ◆ A **policy** is a specific statement that guides decision-making toward achieving a goal. Policies indicate a commitment of the City to a particular course of action. They are clear directives used by the City staff, Planning Commission and City Council in their review of and decisions on development proposals and other matters before the City.
- ◆ An **action** is a program, procedure or technique that carries out a policy and moves the City toward achieving a goal.

F. Summary of Proposed Actions

The following is a summary of the major changes between the existing General Plan and the updated proposed General Plan.

1. Land Use Designations

The proposed General Plan establishes various land use designations that prescribe allowable uses, densities and intensities. The proposed General Plan land use designations are summarized in Table 3-2. Proposed major changes in land use designations are described below.

a. Residential Designations

- ◆ The Neighborhood Planned Residential (NPR) land use designation was removed.
- ◆ The Very Low Density Residential (VLDR) designation was added. The VLDR designation provides for large lot single-family homes at densities between 1 to 3 units per gross acre.
- ◆ The maximum density of the Low Density Residential (LDR) designation was increased from 5 to 6 units per gross acre.
- ◆ Secondary dwelling units are allowed in all residential designations other than High Density Residential (HDR), in accordance with State law.
- ◆ The residential density ranges were changed to whole numbers to make the density ranges more straightforward.
- ◆ The overall average maximum density of the Master Plan Subareas was increased from 6 to 8 units per gross acre, with no more than 75 percent of the units at a density of 6 units per gross acre or less and at least 10 percent of the units at 12 units per gross acre or higher. No more than 10 percent of the total units in Subareas 3, 4 and 5 shall be Very Low Density Residential (VLDR). The Master Plan Subareas are shown in Figure 3-5.

b. Non-Residential Designations

- ◆ The Industrial Service (IS) designation was eliminated.
- ◆ A Service Commercial (SC) designation was added.
- ◆ The density of residential uses in the Downtown Commercial (DC) designation was increased from 5 to 10 units per gross acre to 12 to 30 units per gross acre. The uses were clarified to indicate that residential uses are allowed downtown only as part of a mixed use development above ground floor retail and not as a stand-alone residential use.
- ◆ The Downtown (D) designation was renamed Downtown Commercial (DC).

CITY OF NEWMAN
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TABLE 3-2 **PROPOSED LAND USE DESIGNATIONS IN THE PROJECT AREA**

Land Use Designation ^a	City Limits		SOI		Total Acres
	Acres	Percent of Total	Acres	Percent of Total	
Low Density Residential	467	44.9%	6	0.2%	473
Medium Density Residential	69	6.6%	28	1.1%	97
High Density Residential	38	3.7%	0	0%	38
Central Residential	91	8.6%	0	0%	91
Planned Mixed Residential	0	5.0%	20	0.8%	72
Community Commercial	52	1.4%	0	0%	15
Service Commercial	15	1.4%	0	0%	15
Downtown Commercial	37	3.6%	0	0%	37
Business Park	0	0%	96	3.8%	96
Light Industrial	30	2.9%	290	11.5%	320
Heavy Industrial	46	4.4%	10	0.4%	56
Public/Quasi-Public	153	14.7%	0	0%	153
Recreation and Parks	42	4.0%	9	0.4%	51
TOTAL	1,041	100%	2,520	100%	3,560

Note: Percentage totals may not sum due to rounding.

^a The proposed General Plan land use map also includes an Urban Reserve designation and an Industrial Reserve designation on lands outside the proposed SOI. These lands are to be considered for development beyond the 2030 time frame of the proposed General Plan, but would remain in agriculture or open space through 2030.

- ◆ The General Commercial (CG) designation was renamed Community Commercial (CC).

2. Land Use Map

The proposed General Plan land use map is shown in Figure 3-3. Proposed major changes in the General Plan land use map are described below.

- ◆ The proposed SOI is now shown in the land use map. The SOI was expanded approximately ¼ mile to the south to Hallowell Road. Proposed SOI boundary changes are shown in Figure 3-4.
- ◆ The Primary SOI was expanded at the northern end of the city to Stuhr Road, encompassing Master Plan Subareas 1, 2 and 3, in recognition that these parcels are appropriate to be developed first.
- ◆ The new Very Low Density Residential (VLDR) designation was applied along the Central California Irrigation District (CCID) Canal in Master Plan Areas 3, 4 and 5.
- ◆ The areas designated for Heavy Industrial (HI) uses south of Hills Ferry Road and between East Stuhr Road and Hills Ferry Road were changed to Light Industrial (LI).
- ◆ The area east of Highway 33 and south of Sherman Parkway formerly designated Business Park (BP) was changed to Low Density Residential (LDR), reflecting existing recent residential development of the area.
- ◆ Parcels east of Highway 33 were changed from Downtown Commercial (DC) to Service Commercial (SC), focusing the downtown west of Highway 33.
- ◆ Parcels west of Highway 33 and south of Inyo Avenue to the Westside Marketplace were changed from General Commercial to Downtown Commercial (DC).

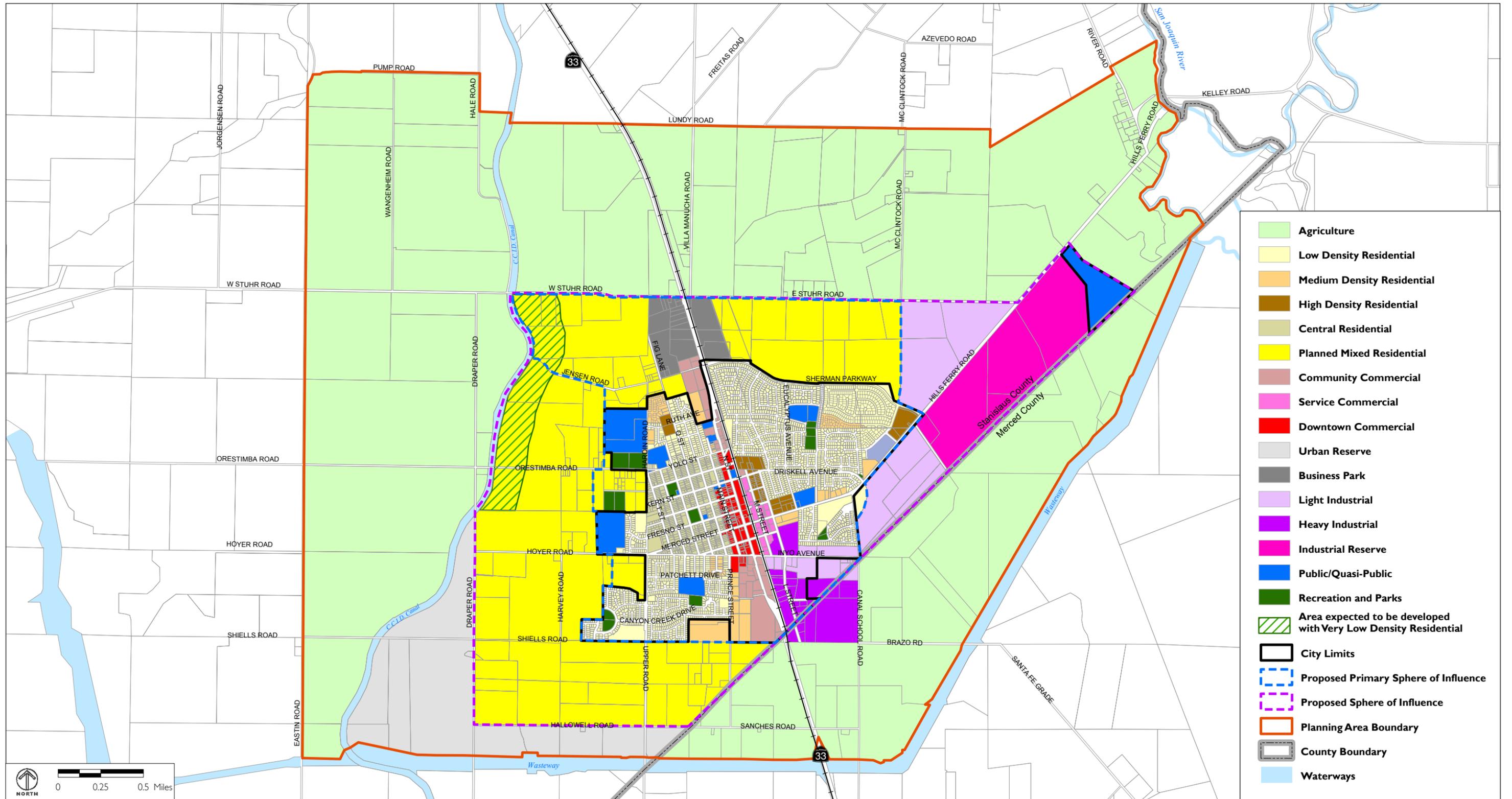


FIGURE 3-3
 LAND USE MAP

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Figure 3-3 Land Use Map 11x17 BACK

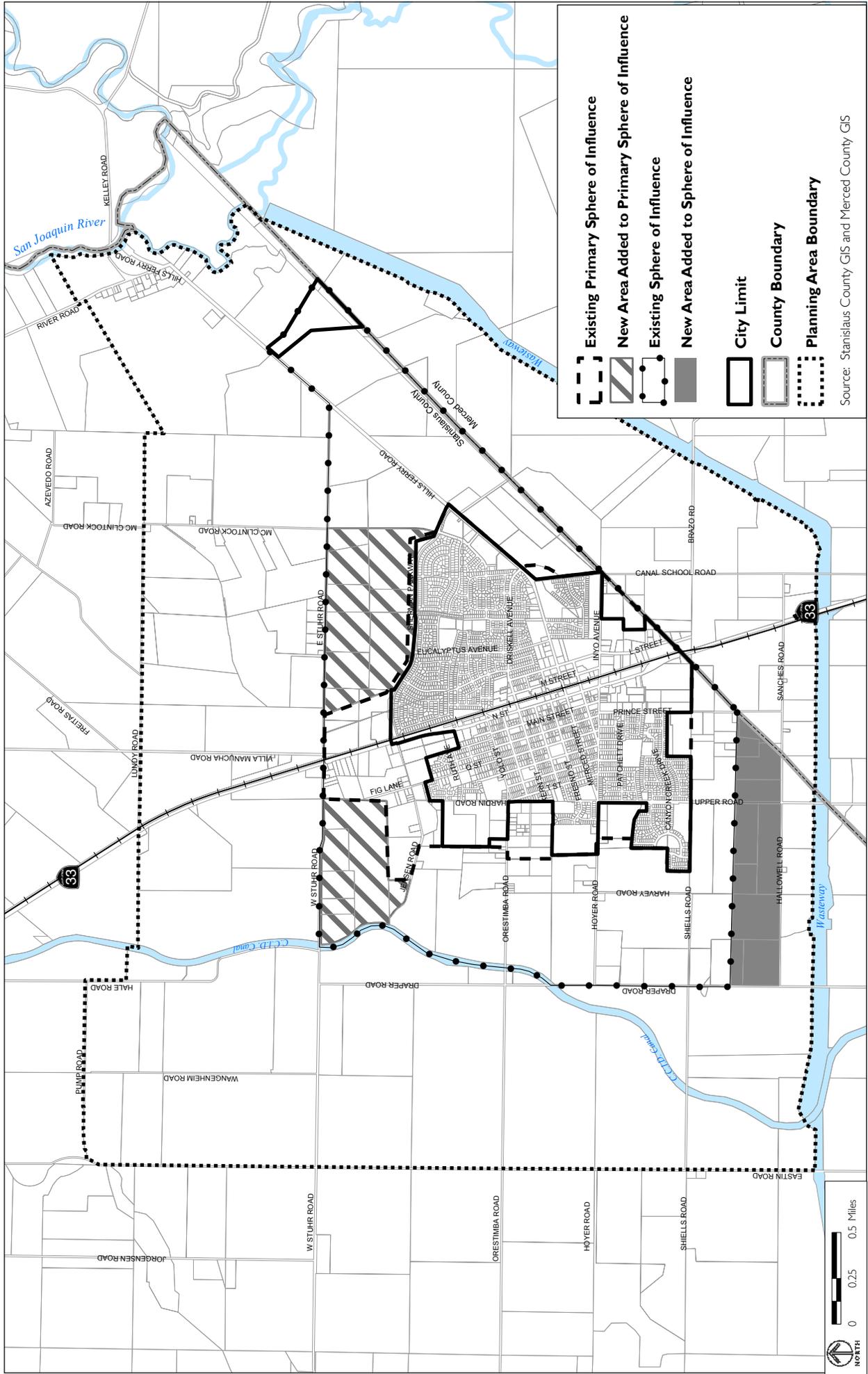


FIGURE 3-4

SPHERE OF INFLUENCE BOUNDARY CHANGES

- ◆ Areas formerly designated Neighborhood Planned Residential, a designation which was eliminated, were changed to Planned Mixed Residential (PMR) and Low Density Residential (LDR).
- ◆ Parcels south of West Stuhr Road, west of the CCID canal and east of Draper Road formerly designated Urban Reserve were changed to Agriculture (A).
- ◆ The number of Master Plan Areas was increased from three to nine to incorporate former Industrial Specific Plan areas, the expanded SOI south of the city, the area along Highway 33 at the north end of the city designated Business Park (BP) and to allow for planned development of smaller, more finely grained, cohesive neighborhoods. The proposed Master Plan Areas are shown in Figure 3-5.

3. Goals, Policies and Actions

The goals, policies and actions of each element were updated to reflect changes in the community's vision and changes in conditions since adoption of the previous General Plan. Implementing actions were also added within each element.

4. Plan Organization

Proposed changes in the organization of the General Plan include the following.

- ◆ The Administration Element was eliminated and its contents consolidated into the other elements.
- ◆ Appendix A, the Specific Plan and Neighborhood Plan Guidelines, was eliminated and its contents included in the Master Plan Area criteria contained in the Land Use Element.

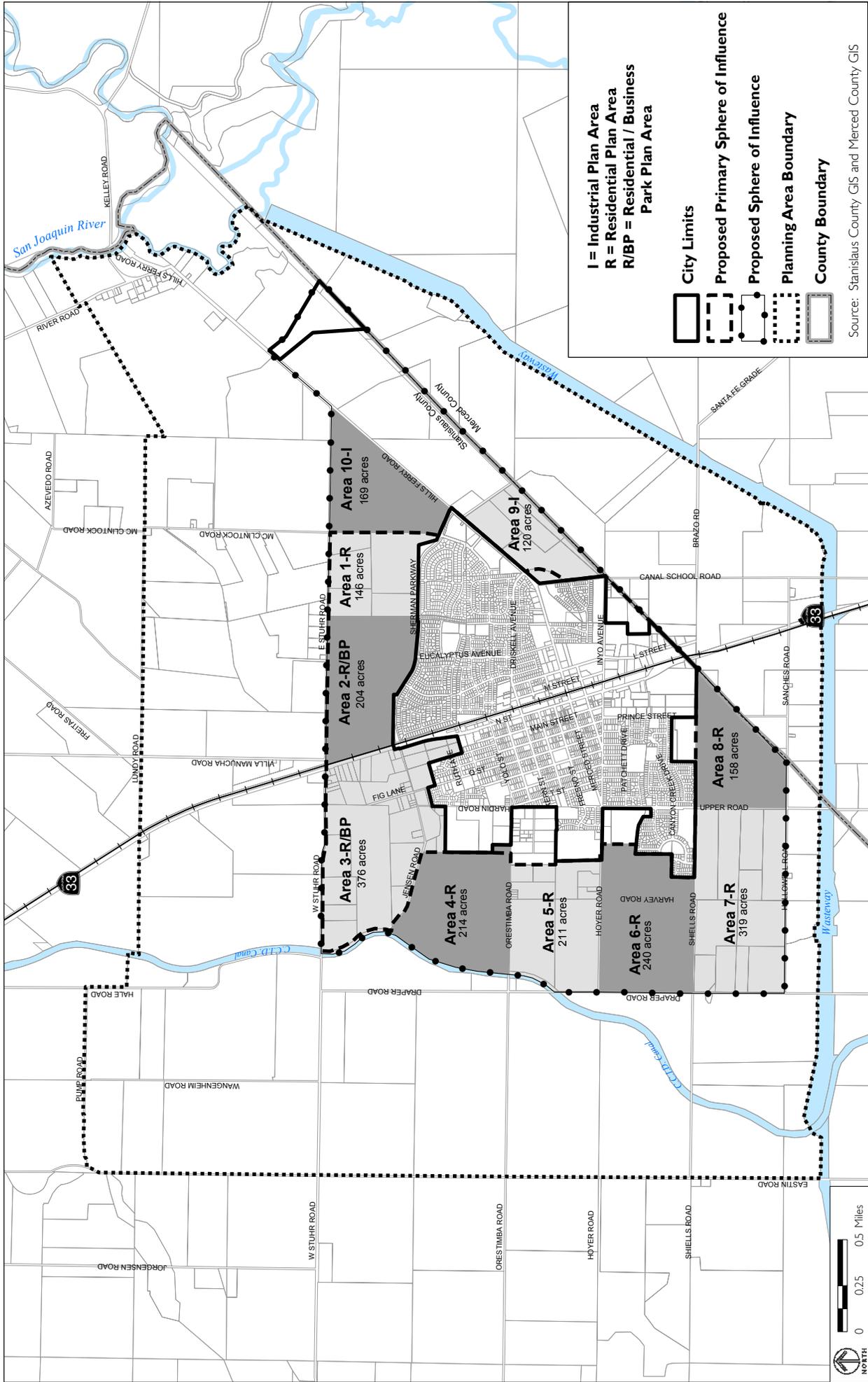


FIGURE 3-5

G. Circulation Improvements

The proposed General Plan includes a circulation plan, which consists of a network of arterial, collector and local roads that support the proposed layout and mix of land uses. The proposed circulation plan is shown in Figure 3-6.

Several needed improvements to the existing circulation system have been identified to realize the proposed circulation plan. These circulation improvements are numbered and described below and shown with corresponding numbers on Figure 3-7.

1. **Highway 33.** Highway 33 would be widened or re-striped to accommodate four lanes of traffic. Between Yolo and Inyo Avenues, where properties along the highway are developed and many are not likely to redevelop, the highway would be re-striped to four lanes within the existing curb to curb width, rather than widened. The portion of Highway 33 adjacent to the railroad would include a Class I bikeway. In downtown Newman, where the railroad is separate from the highway, the bikeway would be located along the railroad right-of-way, separate from the highway.
2. **West Parkway.** Harvey Road would be extended to create a new West Parkway between Stuhr Road and Hallowell Road. West Parkway would be a two-lane arterial north of Shiells Road, the proposed South Parkway, and a two-lane collector south of Shiells Road.
3. **Prince Street.** Prince Street would be widened to a four-lane arterial between Inyo Avenue and Canyon Creek Drive and would be a two-lane collector between Canyon Creek Drive and the proposed South Parkway. Prince Street would include a Class I bikeway on the east side of the street between Inyo Avenue and South Parkway.

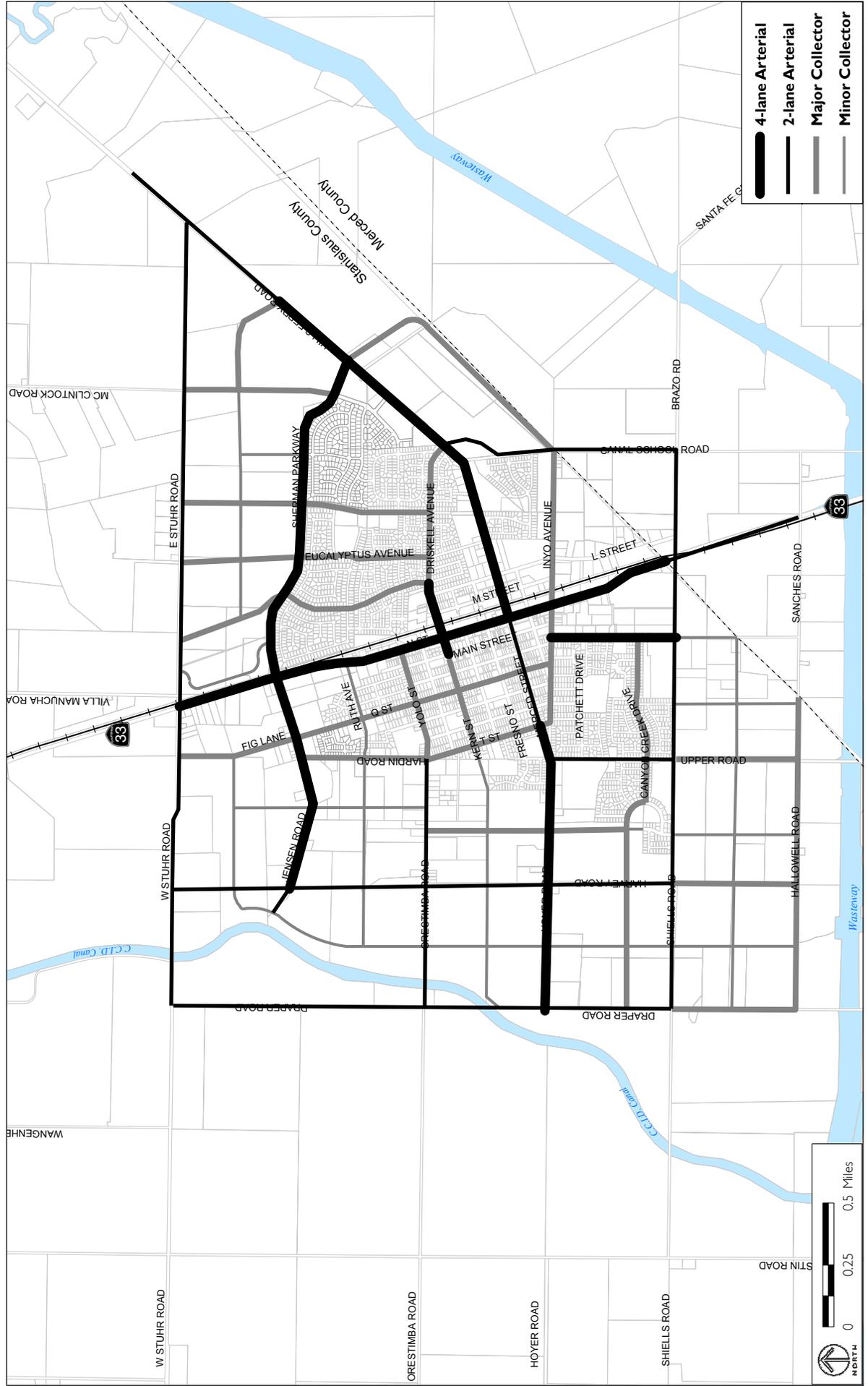


FIGURE 3-6

4. **Jensen/Sherman Parkway.** Jensen/Sherman Parkway would be widened to a four-lane arterial between Hills Ferry Road and approximately mid-way between Harden Road and the proposed West Parkway, and a two-lane collector between West Parkway and the CCID Canal. Jensen/Sherman Parkway would include a Class I bikeway between McClintock Road and the CCID Canal.
5. **Kern Street/Driskell Avenue.** Kern Street and Driskell Avenue would be a four-lane arterial between Main Street and Balsam Drive.
6. **Hoyer Road.** Hoyer Road would be a two-lane collector between Draper Road and the proposed West Parkway and a four-lane arterial between West Parkway and Upper Road.
7. **Merced Street.** Merced Street would be four lanes between Main Street and Driskell Avenue.
8. **Inyo Avenue.** Inyo Avenue would be a four-lane arterial between Prince Street and Highway 33.
9. **South Parkway.** Shiells Road would be extended into a new South Parkway from Canal School Road to Draper Road, with a new grade-separated crossing of the Southern Pacific Railroad.
10. **Fig Lane.** Fig Lane would be a two-lane collector.
11. **Canyon Creek Drive.** Canyon Creek Drive would be extended as a two-lane collector west to the proposed West Parkway.
12. **New Collector.** A new two-lane collector would extend from Canyon Creek Drive to Orestimba Road, mid-way between the proposed West Parkway and Upper Road, along the west side of Yolo Middle School.
13. **Canal School/Hills Ferry Road Intersection Realignment.** The Canal School Road/Hills Ferry Road intersection would be realigned to Driskell Avenue to form a new four-way intersection.
14. **Hills Ferry Road.** Hills Ferry Road would be widened to four lanes between Driskell Avenue and the new collector located mid-way between Sherman Parkway and East Stuhr Road.

15. **Balsam Drive.** Balsam Drive would be extended as a two-lane collector north from Sherman Parkway to East Stuhr Road.
16. **Eucalyptus Drive.** Eucalyptus Drive would be extended as a two-lane collector from Sherman Parkway to East Stuhr Road.
17. **Barrington Avenue.** Barrington Avenue would be extended as a two-lane collector from Sherman Parkway to East Stuhr Road.
18. **McClintock Road.** McClintock Road would be extended as a two-lane collector from East Stuhr Road to Sherman Parkway.
19. **New Collector.** A new east-west collector would be developed from the proposed extension of McClintock Road to Hills Ferry Road to provide access to planned light industrial uses.
20. **New Collector.** A new collector would be developed to improve access to planned light industrial uses south of Hills Ferry Road, beginning at the Hills Ferry Road/Sherman Parkway intersection, running south, then west along the county line to the Canal School Road/Inyo Avenue intersection.

H. General Plan Buildout Projections

Table 3-3 shows the new and total numbers of housing units, commercial and industrial floor area that are projected to be developed with full buildout of the proposed General Plan. The buildout projections represent a probable density and intensity of development that is less than the maximum allowed by each land use designation, recognizing site constraints, transportation and other infrastructure requirements, and market conditions. The great majority of new development would occur outside the existing city limits on land that would be annexed by the City. Development under the proposed General Plan would result in an estimated 10,350 new housing units for a total of 13,442 units at buildout. The proposed Plan would also provide for an estimated total of 1,765,000 square feet of commercial uses and 5,036,000 square feet of industrial uses at buildout. The estimated population at buildout of the proposed Plan would be 45,703 persons, an increase of 35,190 from 2006.

I. Project Alternatives

Chapter 5 of this Draft EIR evaluates a range of reasonable alternatives to the proposed General Plan and identifies an environmentally superior alternative. The discussion focuses on alternatives that meet some or all of the objectives of the Plan as set forth in the adopted Vision Statement and would avoid or substantially lessen any of the significant impacts of the Plan.

- ◆ **No Project Alternative.** The No Project Alternative assumes the continuation of development and conservation under the existing General Plan.

TABLE 3-3 **GENERAL PLAN BUILDOUT PROJECTIONS**

Land Use	Existing	New	Buildout Total
Residential (units)	3,092 ¹	10,350	13,442
Commercial (square feet)	461,000 ²	1,304,000	1,765,000
Industrial (square feet)	755,000 ²	4,281,000	5,036,000
Population (persons)	10,140 ¹	35,190 ³	45,703 ³

¹The existing housing unit and population estimates are for the city limits in 2006 and are from the California Department of Finance, Demographic Research Unit, 2006. Table 2: E-5 City/County Population and Housing Estimates, January 1, 2006.

²The existing and future commercial and industrial floor area estimate are for the city limits and sphere of influence and were developed by DC&E based on a review of the City's current traffic model.

³Based on an average household size of 3.4.

- ◆ **Concentrated Growth Alternative.** The Concentrated Growth Alternative assumes the same amount of growth but would increase the density and intensity of uses to reduce the amount of farmland that would be converted to urban uses.
- ◆ **Reduced Growth Alternative.** The Reduced Growth Alternative would decrease the overall amount of land planned for new urban development to reduce the amount of farmland that would be converted to urban uses. The density and intensity of land uses on the lands planned for urbanization however would remain the same as the density and intensity of land uses in the proposed General Plan.

J. Intended Uses of the General Plan

This EIR will be used to address subsequent discretionary projects, such as adopting zoning ordinances and approving capital improvement projects or development proposals that are consistent with the proposed General Plan. Project-level environmental review for these subsequent projects may be limited to those issues peculiar to the project and that were not identified as significant impacts in this EIR, or for which substantial new information shows the effects will be more significant than described in this EIR. These subsequent projects could include the following:

- ◆ Amendments to the SOI
- ◆ Annexation and rezoning
- ◆ Rezoning
- ◆ Subarea Master Plan approvals
- ◆ Development Agreements
- ◆ Development approvals, such as tentative maps, variances, conditional use permits and other land use entitlements
- ◆ Facility and Service Master Plans and Financing Plans
- ◆ Approval and funding of capital improvement projects
- ◆ Municipal Bond issuances
- ◆ Property acquisition by purchase or eminent domain

CITY OF NEWMAN
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4.0 ENVIRONMENTAL EVALUATION

This chapter consists of 14 sections that evaluate the environmental impacts of the proposed General Plan. In accordance with Appendix G of the CEQA Guidelines, the potential environmental effects of the proposed General Plan are analyzed for the following environmental issue areas:

- ◆ Aesthetics
- ◆ Agricultural Resources
- ◆ Air Quality
- ◆ Biological Resources
- ◆ Cultural Resources
- ◆ Geology and Soils
- ◆ Hazards and Hazardous Materials
- ◆ Hydrology and Water Quality
- ◆ Land Use
- ◆ Noise
- ◆ Population and Housing
- ◆ Public Services
- ◆ Transportation
- ◆ Utilities

A. *Format of the Environmental Evaluation*

Each section in Chapter 4.0 generally follows the same format and consists of the following subsections:

- ◆ The *Regulatory Framework* subsection contains an overview of the federal, State and local laws and regulations applicable to each environmental review topic.
- ◆ The *Existing Conditions* subsection describes current conditions with regard to the environmental factor reviewed.
- ◆ The *Standards of Significance* subsection tells how an impact is judged to be significant in this EIR. These standards are based on the CEQA guidelines and other regulatory criteria where noted.

- ◆ The *Impact Discussion* gives an overview of potential impacts of the proposed General Plan and tells why impacts were found to be significant or less than significant. This section includes a discussion of cumulative impacts of the proposed General Plan.
- ◆ The *Impacts and Mitigation Measures* section numbers and lists identified impacts and identifies measures that would mitigate each impact, where such measures are available. Since the proposed General Plan is self-mitigating, only impacts that are noted as significant and unavoidable in the text are listed in this section.

B. Cumulative Impact Analysis

Section 15130 of the CEQA Guidelines requires an EIR to discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable. A cumulative impact consists of an impact created as a result of the combination of the project evaluated in the EIR together with other reasonably foreseeable projects causing related impacts.

In the case of a city-wide planning document such as a General Plan, cumulative effects are the effects that combine impacts from the projects development in the city with the effects of development in other portions of the region. By definition, no development within the city would be considered part of the cumulative impacts; instead, development inside the city is part of the project itself.

Where the incremental effect of a project is not “cumulatively considerable,” a lead agency need not consider that effect significant, but must briefly describe its basis for concluding that the incremental effect is not cumulatively considerable.

The cumulative impacts analyses in sections 4.1 to 4.14 are included in the Impact Discussion in each section.

Individual cumulative impacts may occur over different geographic areas. The cumulative discussions in sections 4.1 through 4.14 explain the geographic scope of the area affected by each cumulative effect (e.g. watershed or air basin). The geographic area considered for each cumulative impact depends upon the impact that is being analyzed. For example, in assessing aesthetic impacts, only development within the vicinity of the project would contribute to a cumulative visual effect. In assessing air quality impacts, on the other hand, all development within the air basin contributes to regional emissions of criteria pollutants, and basinwide projections of emissions is the best tool for determining the cumulative effect. For most resource issues, the cumulative context evaluated in this EIR is the County of Stanislaus, though often the area considered for the cumulative analysis includes a portion of Merced County since Newman is located on the border of the two.

When applicable, the cumulative impacts of a General Plan take into account growth projected by the proposed General Plan, in combination with impacts from projected growth in other cities in the region. Unless otherwise stated, for each of the following 14 sections, the cumulative impact analysis examines cumulative effects of the proposed General Plan, in combination with Stanislaus Council of Governments (StanCOG)-projected growth for the other cities in Stanislaus County.

StanCOG is responsible for estimating regional growth for Stanislaus County. The last regional population and employment forecast for the region was completed for StanCOG's Projections 2005. StanCOG's projected 2030 population for Newman is 38,582.

CITY OF NEWMAN
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4.1 AESTHETICS

This section describes the visual and aesthetic resources of Newman and provides an evaluation of the effects the proposed General Plan would have on these resources. Impacts and changes involving light and glare, such as additional nighttime lighting, are also discussed in this section.

A. Regulatory Framework

Newman has already adopted several regulations and guidelines to control the visual impact of new development on the visual character of the community as a whole. These include City zoning ordinances and two focused area plans that provide policy guidance on the design of new public and private developments within their respective areas. This section provides background on the relevant City ordinances and the overall purpose and content of the Downtown Revitalization Plan and the Highway 33 Specific Plan.

1. Downtown Revitalization Plan

The Downtown Revitalization Plan envisions a vibrant pedestrian-oriented commercial core, to serve as the heart of Newman and provide residents, employees and visitors with services and opportunities for shopping, recreation and cultural activities. Completed in 1994, the Plan identifies land use and circulation relationships; design standards; necessary infrastructure and streetscape improvements; economic and market conditions; and specific implementation tools necessary to promote the development of business in the downtown commercial core of Newman. Many of the recent public improvements completed, or in the process of being developed, are a result of the recommendations of this Revitalization Plan. The urban design guidelines contained within the Plan address site planning, parking, streetscapes and public open space, building scale and massing, and signage. These guidelines are used by the City to provide design direction for new construction, restoration and remodel projects within the downtown commercial core.

2. Highway 33 Specific Plan

Completed in 1996, the Highway 33 Specific Plan provides policies and guidelines to shape the character and stimulate the economic growth of the Highway 33 corridor to create a more attractive commercial corridor centered around downtown. The Plan addresses land use, circulation, infrastructure and urban design.

The Plan provides detailed design guidelines for two distinct portions of the Highway 33 corridor, which are defined by the Plan as the “Downtown District” and the “Highway District.” The “Downtown District” includes the downtown commercial core as well as the majority of the downtown abutting the western side of Highway 33. The design guidelines for the “Highway District” address the remainder of the corridor, largely outside of the downtown. The design guidelines for the “Downtown District” portion of the corridor are consistent with and build upon the design guidelines contained within the Downtown Revitalization Plan. The Plan’s guidelines establish that new development within the downtown portion of Highway 33 will be pedestrian oriented and consistent with the existing pattern of historic downtown development. On the portion of Highway 33 outside of downtown, the Plan allows development to be more auto-oriented and establishes that new development incorporate a Rural/Agrarian theme that reflects the character and heritage of the region.

3. Standard Conditions of Approval and Zoning Ordinance

The City’s adopted Standard Conditions of Approval require that street lights installed in new developments be hooded to direct light downward and away from surrounding uses. Additionally, the City has another Standard Condition of Approval that requires large new developments relocate existing and install new utility lines underground.

The City of Newman has an H-C Historical/Cultural Resource District within its zoning code. As stated in the zoning code, the purpose of this historic district is to:

- ◆ Preserve and protect the historic character of Newman and its historically significant structures, neighborhoods sites and artifacts.
- ◆ Promote and facilitate the restoration and rehabilitation of historically significant structures, neighborhoods and sites.
- ◆ Assure that buildings and buildings groups located in proximity to historically significant buildings are protected from incompatible construction or reconstruction.¹

This zoning district is an overlay district that supplements and is used in conjunction with the underlying district.² This district is applied to the portion of Newman downtown. This area contains the majority of the historic structures within the City of Newman that could be affected by new construction or development.

The City of Newman's zoning code also contains a right-to-farm ordinance which is designed to preserve and protect existing agricultural operations adjacent to Newman by protecting these uses from nuisance lawsuits filed by adjacent landowners.³

B. Existing Conditions

The following describes the existing setting regarding aesthetic and visual resources in Newman.

1. Visual Character and Resources

The City of Newman has a small town look and feel with strong ties to its agricultural heritage and economy. The visual character of Newman is defined by its distinct neighborhoods and areas, gateways, its primary corridor Highway 33, and its trees and landscaping. Each is described below.

¹ City of Newman, 2004, Title 5 Zoning Code, Section 5.13.010.

² City of Newman, 2004, Title 5 Zoning Code, Section 5.13.020.

³ City of Newman, 2004, Title 5 Zoning Code, Section 5.13.140.

a. Distinct Neighborhoods and Areas

Newman consists of distinct neighborhoods and areas, which often have different visual characteristics that not only reflect the predominate uses in an area, but also reflect the era in which the area was built. Newman is characterized by five distinct visual categories:

- ◆ **Downtown.** The downtown of Newman is a small grid of approximately 6 blocks by 6 blocks. The downtown contains a vibrant commercial core and the oldest residential neighborhood in Newman, both of which contain many historic buildings.
- ◆ **Mature Residential Neighborhoods.** These older neighborhoods, mostly constructed during the 1940s through the 1970s, are laid out on a grid pattern and contained well maintained single family residences with mature trees and landscaping.
- ◆ **New Residential Neighborhoods.** These neighborhoods were developed since the 1980's and are generally located at the outer edges of the city. These neighborhoods generally have curvilinear street patterns with multiple cul-de-sacs and consist of housing stock of similar design and materials built by the same developer.
- ◆ **Commercial Areas.** Commercial areas outside the downtown are limited to a strip of service commercial uses, convenience stores and gas stations along Highway 33 and the Westside Marketplace, a new auto oriented shopping center.
- ◆ **Industrial Zone.** Newman's industrial zone houses a wide range of industrial uses, from low-slung mini-storage warehouses and the large vacant pad of the public scales to the towering tanks of the F&A Dairy. Many of the industrial uses have new and modern facilities while others are older and not as well maintained.
- ◆ **Rural and Suburban Transition Areas.** These transition areas include a mix of historic orchards, old barns and farmhouses, small parcels that are still being farmed, and yards housing cows, goats, chickens and similar

barnyard animals. These picturesque, rural-seeming areas recall the historic character of the Newman community.

b. Gateways

Gateways of a city are the locations which announce to a visitor or resident that they are entering the city, or a unique neighborhood within that city. Newman has several gateways. The “Welcome to Newman” signs on Highway 33 both north and south of town serve as formal gateways. In the downtown, informal gateways include the beginning and end of the retail corridor on Main Street. There are also informal gateways marking the transition from rural to urban, such as the intersection of Stuhr Road and Highway 33 and the intersection of Hills Ferry Road and Driskell Road.

c. Highway 33

California State Highway 33 is the main travel way into and through Newman. Traffic from Paterson, Crows Landing and Modesto, and much of the traffic coming from the north on Interstate 5, enters Newman on Highway 33. Traffic coming from the south on Interstate 5, or coming from Gustine and Merced, also enter the city on Highway 33.

The importance of Highway 33 is that it provides many visitors and through-travelers with a first, if sometimes only, impression of Newman. Highway 33 is parallel to the Southern Pacific west side railroad line and contains a mix of industrial properties, underutilized properties and, as noted above, a mix of auto oriented commercial uses including the Westside Shopping Center. The highway does not have an overall streetscape design concept and, outside of the downtown, lacks sidewalks and street trees.

d. Trees and Landscaping

Street trees and established larger trees in and around the city are important features of Newman’s visual character. They also provide shade and cooling along residential streets during Newman’s hot summers. The city’s public parks also include larger landscaped areas with playing fields and shade trees.

2. Scenic Vistas

Given Newman's location on the west side of the Central Valley, the city has views of the Diablo mountain range to the west. To the north, south and east the views are limited to active agricultural lands, which include fruit and nut orchards, and row crops. While not visible from the City of Newman, the San Joaquin River east of the Planning Area does provide additional scenic views within the vicinity of Hills Ferry Road.

3. State Scenic Highways

There are no official State-designated scenic routes in Newman's proposed SOI or Planning Area. However, Interstate 5, which is 5 miles west of Newman is an officially designated State Scenic Highway.⁴ The major arterials through and adjacent to the city are its major entry corridors, and serve as the primary connections for residents and travelers to the wider region.

4. Light and Glare

Nighttime lighting is brighter within the urbanized portion of Newman when compared to the mostly undeveloped, surrounding agricultural lands. Major light sources include:

- ◆ Households and street lighting.
- ◆ Lighting from commercial and industrial uses, such as parking lot illumination.
- ◆ Motor vehicles on local streets and surrounding highways.

Current sources of glare are the sun or street lighting reflecting off of large expanses of concrete or reflective rooftops. Glass and other reflective surfaces can also be a source of glare.

⁴ Officially Designated State Scenic Highways and Historic Parkways, http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm, accessed on September 26, 2006.

C. *Standards of Significance*

The implementation of the proposed project would have a significant impact to visual and aesthetic quality if it would:

- ◆ Substantially or demonstrably result in a negative aesthetic alteration to the existing character of the area. A substantial alteration is characterized by a negative “sense of loss” of character or unique resources.
- ◆ Have a substantial adverse effect on a scenic vista.
- ◆ Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a state scenic highway.
- ◆ Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

D. *Impact Discussion*

The following provides an analysis of the potential visual impacts of the proposed General Plan.

1. **Project Impacts**

Development permitted under the proposed General Plan could result in changes to the visual characteristics of portions of Newman and the Sphere of Influence (SOI). However, the Plan contains policies that work in conjunction with current City design and development regulations to ensure that new development complements the existing aesthetic fabric of the city and its surrounding environs, and does not threaten scenic corridors or exacerbate issues of light and glare. Implementation of the proposed General Plan would therefore result in *less-than-significant* impacts to the aesthetic qualities of the Newman area, as described in more detail below.

a. Visual Character and Resources

The following subsections address the primary visual aspects within Newman and analyze the potential visual impacts that could result from the implemen-

tation of the proposed General Plan. The discussion below includes references to the specific goals, policies and actions contained in the proposed General Plan that would avoid significant visual impacts to the existing character of the area, or in some cases result in positive visual impacts to the community.

i. Community Visual Character

Much of Newman's scenic value comes from the surrounding working landscapes and its small-town, residential atmosphere. Implementation of the proposed General Plan would allow growth to take place in some of the adjacent agricultural areas, which would occur mainly in the SOI, or on vacant infill parcels within the city limits. Any new development could modify the visual appearance of Newman, especially as land in the SOI changes from its existing rural character to that of an urban community. Therefore, policies outlined in the proposed General Plan are aimed at achieving a balance between maintaining Newman's small-town feel, preserving its agricultural heritage and accommodating growth.

Goal LU-1 in the proposed General Plan is to preserve Newman's traditional small-town qualities while increasing its residential and employment base. To achieve this goal, Policy LU-1.1 says that the City shall encourage development that is compatible with the existing scale and character of Newman. The Community Design Element also contains Goal CD-1, which is to maintain a coherent and distinctive physical form and structures that reflects Newman's small-town qualities and agricultural heritage. Related to this goal are Policies CD-1.1, which states that the City shall endeavor to maintain the distinctiveness and integrity of the various neighborhoods and areas within the city. Furthermore, Policy CD-1.3 states that City shall seek to maintain a distinct agricultural definition to the urban edge of the city as a means of emphasizing Newman's small-town qualities and agricultural heritage.

The Community Design Element recognizes that high-quality design is a significant tool that can preserve and enhance the existing character of Newman and preserve the community's quality of life. This Element therefore con-

tains additional goals and multiple design policies that are specifically related to distinct areas within the city and are intended to preserve and enhance the character of these areas, including the downtown and the existing neighborhoods. Furthermore this Element contains goals and policies to guide commercial, industrial and new neighborhood development outside of the existing city limits and contains policies that are intended to improve the character of the Highway 33 corridor.

Many of the policies contained within the Community Design Element specifically address the visual quality of new development to ensure compatibility with the character of surrounding community and the city. For example, Policy CD-4.2 states that the development of new neighborhoods shall reflect the human and pedestrian oriented character of existing neighborhoods in Newman and Policy CD-3.3 states that new development in existing residential neighborhoods shall reflect the existing scale and character of the surrounding neighborhood and be compatible in design. Policy CD-2.5 and CD-2.6 address architecture in the downtown commercial core and Policy CD-4.9 and CD-4.10 address the use of design and detailing to add variety and visual interest to development in new residential subdivisions.

The Community Design Element and the Recreation and Cultural Resource Element also both contain goals and policies to preserve and enhance the historic resources within Newman, which further contribute to the community's unique visual character. For example, Policy CD-2.7 and CD-2.8 encourage the preservation, restoration and maintenance of historic structures, including the structures details and design elements. Policy RC-5.2 sets the protection and enhancement of Newman historic resources as a high priority for the City. Additional polices and actions within the Recreation and Cultural Resource Element, including Policies RC-5.3, RC-5.4, RC-5.5, and RC-5.6, and Actions RC-5.2, RC-5.5, RC-5.6 and RC-5.7, outline how the goal of preserving historic resources would be met.

The city's historic preservation overlay district in the downtown also furthers the goal of preserving and enhancing the city's historic resources, the majority of which reside within the downtown.

The existing Downtown Revitalization Plan and the Highway 33 Specific Plan also contain design policies that are intended to maintain and enhance the visual character of the downtown and the Highway 33 corridor, respectively. The general design policies within these two plans are integrated into the Community Design Element within the proposed General Plan.

As a result of the above goals, policies and actions, in combination with enforcement of the city's municipal code, the implementation of the proposed General Plan is *not anticipated to result in a significant negative aesthetic impact* to the city's existing overall town and rural character.

ii. Entry Corridors and Gateways

Entry corridors are important visual amenities to travelers to and from Newman, and designated gateways can greatly enhance the city's small-town image. The city currently has two gateway "Welcome to Newman" signs located along Highway 33 near the northern and southern city limit. The proposed General Plan has therefore identified additional new gateways at the following locations:

- ◆ West Stuhr Road at the CCID Canal
- ◆ Highway 33 at Stuhr Road.
- ◆ Highway 33 at the Merced and Stanislaus County Lines
- ◆ Hills Ferry at East Stuhr Road

The Plan further directs the City to develop a unified design concept for these gateways, which are shown in Figure 4.1-1, that would provide a clearly defined sense of place as people enter and leave the city. Through implementation of this program, the proposed General Plan would positively improve Newman's major gateways and corridors.

iii. Landscape and Streetscape

The proposed General Plan recognizes the important that trees, including native trees, and landscaping have on the visual integrity of Newman. One of the goals of the proposed General Plan Community Design Element (Goal CD-7) is to maintain and enhance the quality of Newman's landscape, streetscape and gateways. This goal is supported by several policies and actions, including Policies CD-7.1 and CD-7.2, which support the protection and enhancement of the existing tree canopy. The Community Design Element also contains a number of policies (Policies CD-7.3, CD-7.4, CD-7.5, CD-7.6, CD-7.7, CD-7.8,) that require the installation of new trees and landscaping in residential commercial and industrial development. Action CD-7.1 would direct the City to establish a tree planting program for the developed portions of the city. The Plan also contains Action CD-7.2 to develop and implement a streetscape and right-of-way improvement plan for Highway 33 consistent with the Highway 33 Specific Plan.

To encourage the use of native landscaping and trees, Policy NR-3.5 requires the City to use native plants in public projects and Policy NR-3.6 encourages the use of native vegetation in private new development.

As a result of these policies and actions, the proposed General Plan would improve the visual appearance of many of the city's roadways.

b. Scenic Vistas

As the surrounding agricultural lands greatly contribute to the visual character of Newman, the proposed General Plan contains numerous goals, policies and actions intended to protect these amenities into the future as growth occurs pursuant to the proposed General Plan. Goal NR-1 is to promote the continued productivity of agriculture and prevent the premature conversion of agricultural land to urban uses. To this end, Policy NR-1.3 states that the City will encourage surrounding agricultural land owners to enter into and maintain Williamson Act contracts and Policy NR-1.5 states that the City will minimize the creation of peninsulas of urban development that will adversely affect the viability of surrounding agricultural lands. Policy NR-1.7

also states that the City shall maintain and continue to enforce the City's right-to-farm ordinance. To further address incompatibilities between farms and development, Policy NR-1.7 requires that new development, adjacent to agricultural lands, use design solutions such as roads, setbacks and other physical boundaries to create sufficient buffers.

As a result of the above goals and policies, implementation of the proposed General Plan would *not have a significant impact* on the scenic vistas within Newman.

c. State Scenic Highways

As previously mentioned, there are no State-designated scenic highways in or around Newman. As a result, the proposed General Plan would not impact visual resources within a State-designated scenic highway.

d. Light and Glare

Additional urban development allowed under the proposed General Plan would result in an increased number of light sources within Newman, as well as the amount and locations of glare. The City would continue to enforce its existing regulations regarding light and glare in its Standard Conditions of Approval and Zoning Code. Enforcement of existing regulations would reduce the potential impact related to light and glare to a *less-than-significant* level.

2. Cumulative Impacts

The proposed General Plan would result in changes to the visual character of the Newman area from a rural, agricultural base to one that is more characterized by urban uses, with increased light and glare sources. As outlined above, the proposed General Plan policies and actions, in conjunction with adopted City regulations, would reduce project-level aesthetic impacts to a *less-than-significant* level. However, while the proposed General Plan would not result in a project-level significant aesthetics impact, when combined with the overall growth trends in Stanislaus County, cumulative conversion of the County's visual character from a rural, agricultural character to a more urban

feel could result in a cumulative significant and unavoidable aesthetics impact. Within the timeframe of the proposed General Plan, it is unlikely that the portion of Stanislaus and Merced counties near Newman; however, would be significantly converted from agricultural land to urban uses. Thus the cumulative impact would be *less than significant*.

E. Impacts and Mitigation Measures

Since no significant impacts were identified, no mitigation measures are required.

4.2 AGRICULTURAL RESOURCES

This section describes agricultural resources in and around Newman and evaluates potential farmland impacts of the proposed General Plan.

A. Regulatory Framework

Agriculture is a major activity in Newman, and throughout Stanislaus County and the Central Valley. Approximately 80 percent of Newman's Planning Area, some 8,300 acres, is agricultural land. Farmland also makes up most of the City's open space resources. It is an important visual asset and defines the character of the community.

Stanislaus County farmers produce a wide range of products from apricots to walnuts, with milk, almonds, cattle, poultry, walnuts and alfalfa leading in gross farm revenue. Stanislaus County has ranked seventh among California farm counties in recent years. Agriculture represented nearly two billion dollars in gross revenues in 2005, and about one-third of the county's jobs.¹

1. Newman Right-to-Farm Ordinance

Newman has adopted a right-to-farm ordinance (Municipal Code Section 5.23.140) which recognizes that agricultural operations frequently become the subjects of nuisance complaints and seeks to reduce the premature conversion of farmland by clarifying the circumstances under which an agricultural operation may be considered a nuisance. The ordinance declares it the policy of the City that commercial agricultural uses in the SOI, or areas not annexed by the City, are a priority use and inconveniences or discomforts arising from such a use shall not be a nuisance. The ordinance also requires discretionary development approvals to require a good faith effort to coordinate with adjacent agricultural operations to reduce potential conflicts.

¹ Stanislaus County Department of Agriculture, 2006, *Stanislaus County Agricultural Crop Report 2005*.

2. Stanislaus County General Plan and Zoning

Stanislaus County and Merced County General Plan designations are shown in Figure 4.2-1. Land outside the Newman city limits is designated in the Stanislaus County General Plan as Agriculture, Urban Transition, Industrial and Planned Industrial. Nearly all the parcels in the proposed SOI are designated in the Stanislaus County General Plan as Agriculture, with some areas immediately adjacent to the city designated Urban Transition and Industrial. The Agriculture designation provides for continued agricultural uses and avoids incompatible urban uses. Limited development, such as dwelling units, commercial services and light industrial uses, may be allowed if compatible and related to agricultural activities. The Agriculture designated land around Newman is zoned General Agriculture (A-2-40). This zone permits a range of agricultural and compatible uses, including a second dwelling unit on parcels over 20 acres. The Urban Transition designation is intended to ensure that land remains in agricultural use until urban development, in accordance with Newman's General Plan, is approved and the territory is annexed to the city. These Urban Transition parcels are zoned General Agriculture (A-2-10), which permits agricultural uses and one dwelling unit on parcels up to 10 acres in size.

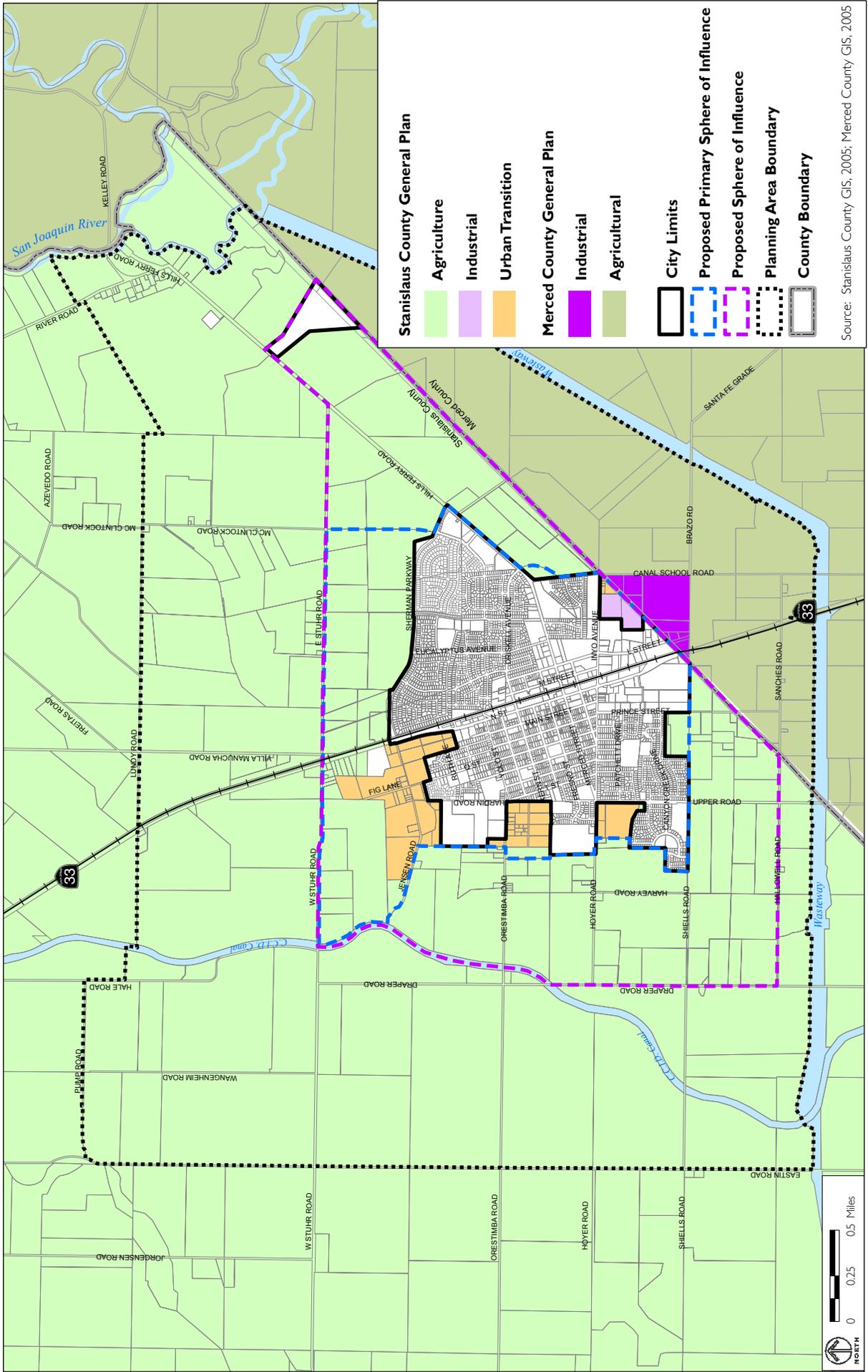


FIGURE 4.2-1

3. Merced County General Plan and Zoning

The land outside Newman’s southeastern City limit is under the jurisdiction of Merced County. The unincorporated portion of Merced County that is designated Heavy Industrial and Light Industrial in the existing and proposed Newman General Plan is also designated Industrial in the Merced County General Plan. The County has an agreement with the City of Newman that allows this area to be developed with industrial uses consistent with this General Plan. Furthermore, the agreement states that Merced County will forward all development applications in this area to the City for review and comment.

The remainder of Merced County south of the City limit is designated Agricultural in the Merced County General Plan, as is the majority of the central part of Merced County. According to the Agricultural land use designation, “the Agricultural areas are used [primarily] for cultivated agricultural practices which rely on good soil quality and water availability, and minimal slopes. Also, many non-cultivated agricultural practices occur in these areas.”

Like Stanislaus County, Merced County has a number of General Plan policies aimed at protecting agriculture. Objective 1.A, Policy 1, states that “Urban development shall occur only within adopted urban boundaries of cities, unincorporated communities and other urban centers consisting of the following designations: Specific Urban Development Plan (SUDP), Rural Residential Center (RRC), Highway Interchange Center (HIC) and Agricultural Services Center (ASC).” The closest urbanized area to Newman is the City of Gustine, 5 miles to the south. Gustine is designated SUDP on the Merced County Land Use Policy Diagram. However, none of the land adjacent to Newman is designated SUDP.

Objective 4.A, Policy 1 also states that agricultural and rural land shall only be converted to urban uses “where a clear and immediate need can be demonstrated based on anticipated growth and availability of public services and facilities.”

B. Existing Conditions

1. Important Farmlands

The California Department of Conservation Farmland Mapping and Monitoring Program tracks the conversion of agricultural land to urban uses throughout the state, using classifications of important farmlands developed by the US Department of Agriculture Natural Resources Conservation Service (NRCS). The NRCS classifies farmland as Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance, according to soil type and the availability of irrigation. Definitions for each “important farmland” category are shown in Table 4.2-1. Important farmlands in and around the proposed SOI are shown in Table 4.2-2 and Figure 4.2-2. Nearly 2,000 acres of the proposed SOI, is Prime Farmland, mostly to the west and northwest of the city. Lands to the northeast and east are a mix of Unique Farmland and Farmland of Local Importance.

TABLE 4.2-1 **IMPORTANT FARMLAND CATEGORIES**

Name	Description
Prime Farmland	Land which has the best combination of physical and chemical characteristics for the production of crops. It has the soil quality, growing season, and moisture supply needed to produce sustained high yields of crops when treated and managed, including water management, according to current farming methods. Prime Farmland must have been used for the production of irrigated crops within the last three years.
Farmland of Statewide Importance	Land other than Prime Farmland which has a good combination of physical and chemical characteristics for the production of crops. It must have been used for the production of irrigated crops within the last three years.
Unique Farmland	Land which does not meet the criteria for Prime Farmland or Farmland of Statewide Importance that is currently used for the production of specific high economic value crops. It has the special combination of soil quality, location, growing season, and moisture supply needed to produce sustained high quality or high yields of a specific crop when treated and managed according to current farming methods. Examples of such crops may include oranges, olives, avocados, rice, grapes and cut flowers.
Farmland of Local Importance	Land other than Prime Farmland, Farmland of Statewide Importance or Unique Farmland that is either currently producing crops or that has the capability of production. This land may be important to the local economy due to its productivity. The county-specific definition for Stanislaus County is farmlands growing dryland pasture, dryland grains and irrigated pasture.

TABLE 4.2-2 **FARMLAND IN THE PROPOSED SOI (IN ACRES)**

Farmland Type	City Limits	Proposed Primary SOI	Proposed SOI
Prime Farmland	304	551	1,729
Farmland of Statewide Importance	0	0	0
Unique Farmland	156	201	710
Farmland of Local Importance	0	0	196
Total	460	752	2,635

Source: California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program, 2006.

2. Williamson Act Contracts

The Newman SOI and Planning Area also include many properties under Williamson Act contracts, which place development restrictions on parcels to preserve the land in agricultural use for at least ten years, in exchange for tax benefits to the land owner. Figure 4.2-3 shows the locations of Williamson Act lands. According to Stanislaus County records, as of 2006, there is no agricultural land within the Newman city limits and approximately 480 acres within the proposed SOI subject to Williamson Act contracts. As shown on Figure 4.2-3, non-renewal forms have been filed for nine parcels within the SOI and the Williamson Act contracts of these properties are set to expire between 2012 and 2014.

a. Other Farmland Protection Programs

The loss of agricultural land is an issue throughout the Central Valley and there have been regional efforts to minimize the loss. In 2004, the Central Valley Farmland Trust was formed, a joint regional land trust to preserve working agricultural landscapes in Stanislaus, Merced, Sacramento and San Joaquin Counties.

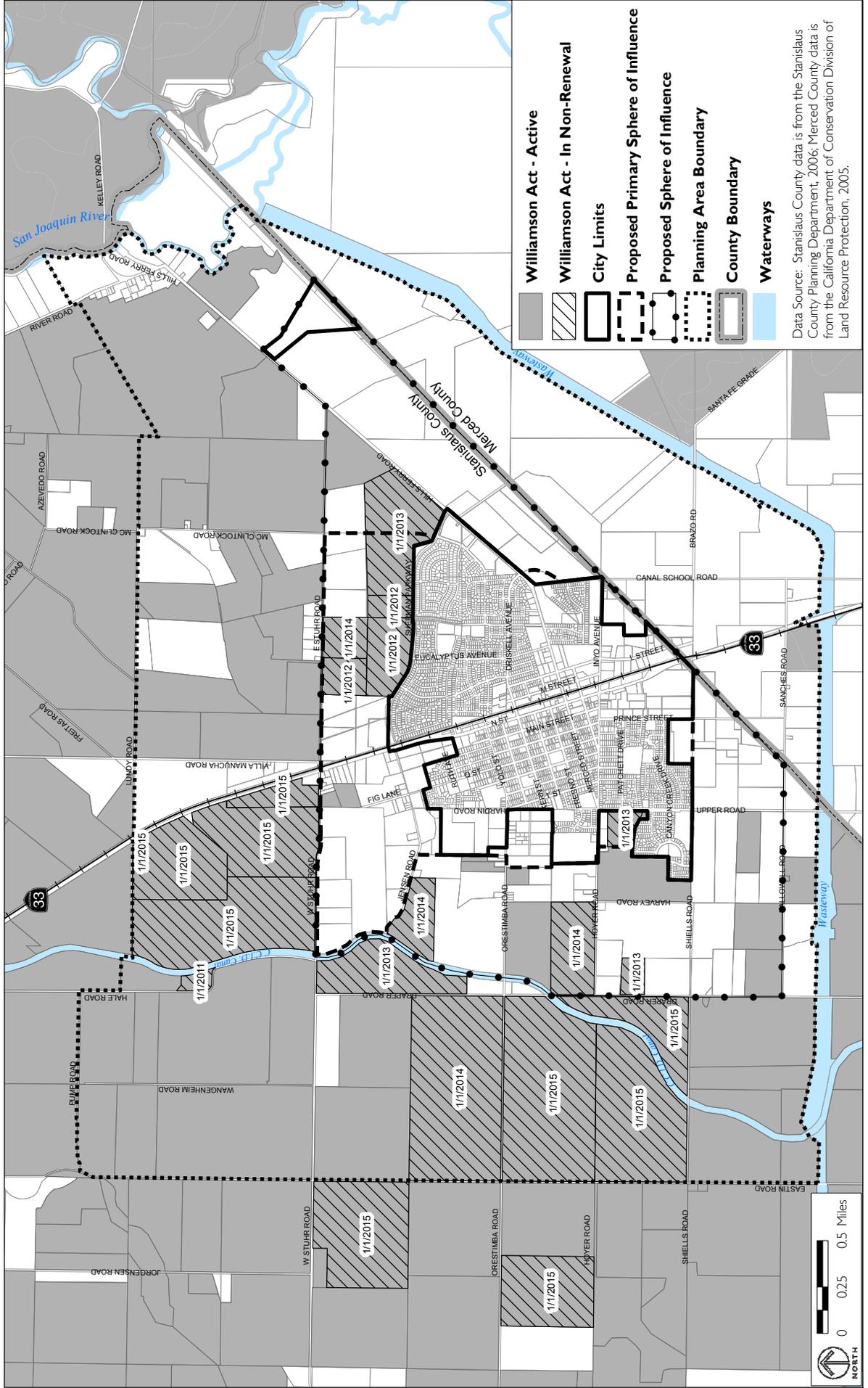


FIGURE 4.2-3

C. Standards of Significance

The proposed project would have a significant impact on agricultural resources if it would:

- ◆ Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared by the Farmland Mapping and Monitoring Program of the California Department of Conservation, to non-agricultural use;
- ◆ Conflict with existing zoning for agricultural use, or a Williamson Act contract; or
- ◆ Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use.

D. Impact Discussion

The following provides an overview of the potential impacts of the proposed General Plan to agricultural resources.

1. Project Impacts

a. Conversion of Farmland

The proposed urban land use designations contained in the proposed General Plan for the city limits and proposed SOI would in time lead to the conversion of farmland to urban uses as the General Plan is implemented. It is important to the residents of Newman that new development minimize the loss of agricultural land. The proposed General Plan contains a number of policies that provide for the long-term preservation and orderly conversion of farmland within the city's SOI and Planning Area.

All of the land within Newman's city limits is designated for urban uses in the proposed General Plan. The existing parcels in the city limits that are still being farmed would be converted to urban uses under the Plan. In addition, implementation of the proposed General Plan would also eventually convert the proposed

SOI from farmland to urban uses. Nearly all of the farmland that would be converted to urban uses in the city limits and proposed SOI is Prime Farmland and Unique Farmland.

A number of proposed General Plan policies and actions provide for the orderly conversion of farmland in the city and the proposed SOI, and the long-term preservation of farmland outside the SOI. The following are some of the goals, policies and actions included in the proposed General Plan:

- ◆ Goal NR-1 provides for the continued productivity of agricultural land surrounding Newman and avoiding premature conversion of farmland to urban uses.
- ◆ Policy NR-1.4 provides that new development at the edge of the city, including all Master Plan Subareas, shall minimize potential incompatibilities between agricultural and urban uses through the location of land uses, the layout of roads, parks and public facilities, density controls and transfers, design guidelines for buildings and public and private improvements, and possibly the use of buffers that restrict uses adjacent to agricultural land.
- ◆ Policy NR-1.7 calls for the City to continue to enforce its right-to-farm ordinance that protects owners of agricultural land at the urban fringe from unwarranted nuisance suits brought by surrounding landowners and provides for resolution of urban-agricultural disputes.
- ◆ Action NR-1.1 provides for the implementation of an Agricultural Mitigation Fee as a private, market-based approach to mitigate the loss of agricultural land. The mitigation fee would be used to acquire easement or fee interest in agricultural land that restricts the use to agricultural production in perpetuity.

These measures would reduce and partially offset farmland conversion impacts. Nonetheless, even with the mitigation fee, design provisions, agricultural buffer and right-to-farm ordinance included in the proposed General Plan, prime farmland, unique farmland and farmland of statewide importance would be converted to urban uses. Farmland conversion under the proposed General Plan would be a *significant impact*.

b. Existing General Plan Designations and Zoning

Described below are potential impacts associated with the relationship between the land use designations in the proposed General Plan and existing designations and zoning in Newman and surrounding unincorporated county lands.

i. *Newman City Limits*

As mentioned above, none of the land within the City limits is designated in the existing General Plan or zoned for agriculture. Therefore, the land use designations proposed within the city limits would not conflict with existing designations or zoning.

ii. *Unincorporated County Land*

As discussed previously, much of agricultural land in the SOI that is designated for urban uses under the proposed General Plan is designated in the County General Plan and zoned by the County for agriculture. These lands would be converted to urban uses only after they are annexed to the City. Therefore, although the proposed land use designations on these parcels conflict with the existing County designations and zoning, once they are annexed, the County designations would no longer apply.

The proposed General Plan seeks to keep these lands in productive agricultural use until they are eventually annexed and developed by including the following policies and actions.

- ◆ Policy NR-1.1 supports the continuation of agricultural uses on lands designated for urban uses until urban development is imminent.
- ◆ Policy NR-1.2 encourages the County to retain agricultural uses on lands surrounding Newman pending their annexation to the City.
- ◆ Policy NR-1.7 calls for the City to continue to enforce its right-to-farm ordinance.

Despite the temporary nature of this impact and the effect of these policies, until the City annexes these lands, the conflict between urban designations under the

proposed General Plan and existing County agricultural designations and zoning would be a *significant impact* on agricultural resources.

c. Williamson Act Contracts

The proposed General Plan designates agricultural land within the SOI and on Urban Reserve lands outside the SOI to urban uses. As a result of these urban designations, owners of farmland under Williamson Act contracts may be encouraged to file for non-renewal or early cancellation of their contracts in anticipation of developing their properties.

The following policies of the proposed General Plan encourage the use and continuation of Williamson Act contracts as an important way to preserve and avoid premature conversion of farmland.

- ◆ Policy NR-1.2 encourages the County to retain agricultural uses on lands surrounding Newman pending their annexation to the City.
- ◆ Policy NR-1.3 encourages the owners of land designated Urban Reserve and Agriculture to enter into and maintain Williamson Act contracts.
- ◆ Policy NR-1.1 supports the continuation of agricultural uses on lands designated for urban uses until urban development is imminent.

However, despite these policies, the conflict between urban designations under the proposed General Plan and existing Williamson Act contracts would result in a *significant impact* on agricultural resources.

d. Compatibility with Urban Uses

The proposed General Plan could result in the development of potentially incompatible urban uses next to farms, creating circumstances that impair the productivity and profitability of agricultural operations, and could eventually lead farmers to take their land out of production. For example, complaints from new residents about noise, dust and chemical use, and increased vandalism, traffic, access difficulties and the introduction of domestic animals, can lower productivity. Adjacent urban development may also drive up land values, increasing the property tax burden for farmland not protected by Williamson Act contracts.

The proposed General Plan includes the following policies and actions to mitigate potential incompatibilities between agricultural and urban uses.

- ◆ Policy NR-1.4 provides that new development at the edge of the city, including all Master Plan Subareas, shall minimize potential incompatibilities between agricultural and urban uses through the location of land uses, the layout of roads, parks and public facilities, density controls and transfers, and design guidelines for buildings and public and private improvements, as well as incorporating buffers that restrict uses adjacent to agricultural land.
- ◆ Policy NR-1.7 calls for the City to continue to enforce its right-to-farm ordinance.

Despite these policies, potential incompatibilities between agricultural and urban uses under the proposed General Plan could contribute to conversion of farmland to non-agricultural use and would be a *significant impact* on agricultural resources.

2. Cumulative Impacts

The California Department of Finance Demographic Research Unit forecasts that the Central Valley's population will more than double by the year 2040 to almost 10 million people. According to the American Farmland Trust, if current land use trends continue, nearly 900,000 acres of Central Valley farmland would be converted to urban uses and ranchette development, most of it high quality farmland, including nearly 40,000 acres in Stanislaus County.² On another 2 million or more acres, agriculture could be compromised by potential conflicts with nearby urban uses. The annual value of production capacity permanently lost to development is expected reach \$814 million by the year 2040, for a cumulative loss between now and then of around \$17.7 billion. Increasing land values affect the continued availability of farmland for agricultural production as the price of farmland is bid up above the amount growers can pay and still turn a profit from agriculture.

² American Farmland Trust website, accessed July 30, 2006. <http://www.farmland.org/reports/futureisnow/projections.html>

Development in conformance with the proposed General Plan would contribute to these cumulative impacts. The Plan policies and actions previously described would delay, reduce and partially offset Newman's contribution to these cumulative impacts. Nonetheless, even after mitigation, Newman's contribution to cumulative impacts on agricultural resources in the region would remain *significant*.

E. Impacts and Mitigation Measures

Impact AG-1: While the policies and actions of the proposed General Plan would delay, reduce and partially offset the conversion of farmland, the conversion of prime farmland, unique farmland and farmland of statewide importance to urban uses as a result of implementation of the proposed General Plan would remain a *significant and unavoidable impact*.

Impact AG-2: Although the policies of the proposed General Plan would reduce the impact of conflicts with existing County agricultural designations and zoning, the conflict would be still result in a temporary *significant and unavoidable impact*.

Impact AG-3: While the policies of the proposed General Plan would reduce the impact of the proposed General Plan on existing Williamson Act contracts, there would still be a *significant and unavoidable impact* to existing Williamson Act contracts resulting from the proposed General Plan.

Impact AG-4: While the policies and actions of the proposed General Plan would delay, reduce and partially offset cumulative impacts on agriculture, the conversion of farmland and impairment of agriculture as a result of implementation of the proposed General Plan, together with other development in the county and the region, would be a *significant and unavoidable cumulative impact*.

CITY OF NEWMAN
GENERAL PLAN PUBLIC REVIEW DRAFT EIR
AGRICULTURAL RESOURCES

4.3 AIR QUALITY

This section describes the impacts of the proposed General Plan on local and regional air quality, based on the assessment guidelines of the San Joaquin Valley Air Pollution Control District (SJVAPCD). This section describes existing air quality, construction-related impacts, direct and indirect emissions associated with the proposed General Plan, the local and regional impacts of these emissions, and mitigation measures warranted to reduce or eliminate any identified significant impacts. The air quality analysis for this section was prepared by Illingworth & Rodkin.

A. Regulatory Framework

Air quality in the Newman area is subject to federal, State and local regulations for regulated pollutants, and the guidance of associated regulatory bodies, as discussed below.

The Federal Clean Air Act (federal CAA) governs air quality in the United States. In addition to being subject to federal requirements, air quality in California is also governed by more stringent regulations under the California Clean Air Act (California CAA). At the federal level, the United States Environmental Protection Agency (EPA) administers the federal CAA. The California CAA is administered by the California Air Resources Board (CARB) at the State level and by the Air Quality Management Districts at the regional and local levels. The SJVAPCD regulates air quality at the regional level, which includes the eight-county San Joaquin Valley, from San Joaquin County in the north to Kern County in the south.

Air quality management responsibilities exist at local, State and federal levels of government. Air quality management planning programs developed during the past decade have generally been in response to requirements established by the federal CAA. However, the enactment of the California CAA has produced additional changes in the structure and administration of air quality management programs in the State.

1. Federal Regulations

The EPA is responsible for implementing the federal CAA, which passed in 1970 and was last amended in 1990 to form the basis for the national air pollution control effort. The CAA requires that the EPA establish National Ambient Air Quality Standards (NAAQS) and reassess, at least every five years, whether adopted standards are adequate to protect public health based on current scientific evidence. The NAAQS describe acceptable air quality conditions designed to protect the health and welfare of the nation's citizens.

In November 1990, Congress amended the federal CAA to intensify air pollution control efforts across the nation. The amended federal CAA identifies specific emission reduction goals, requires both a demonstration of reasonable further progress and attainment, and incorporates more stringent sanctions for failure to attain the NAAQS or to meet interim attainment milestones.

2. State Regulations

The California CAA was signed into law on September 30, 1988, and through its many requirements, serves as an important consideration in attainment planning efforts. CARB is responsible for ensuring implementation of the California CAA, responding to the federal CAA, and for regulating emissions from motor vehicles and consumer products.

CARB sets air quality standards for the State at levels intended to protect public health and welfare with an adequate margin of safety. The California Ambient Air Quality Standards (CAAQS) are generally more stringent than the national standards. Air quality is considered in "attainment" if pollutant levels are continuously below or equal to the standards, and exceed them no more than once each year.

The California CAA requires that air districts prepare an air quality attainment plan if the District violates State air quality standards ozone. No locally-prepared attainment plans are required for areas that violate the state PM₁₀ (course particulate matter) standards. The California CAA requires that

the State air quality standards be met as expeditiously as practicable, but does not set precise attainment deadlines. Instead, the act establishes increasingly stringent requirements for areas that will require more time to achieve the standards.

The air quality attainment plan requirements established by the California CAA are based on the severity of air pollution problems caused by locally-generated emissions. Upwind air pollution control districts are also required to establish and implement emission control programs commensurate with the extent of pollutant transport to downwind districts.

3. San Joaquin Valley Air Pollution Control District

The SJVAPCD is responsible for local air quality regulation. The SJVAPCD's primary responsibility is to regulate stationary sources and develop plans to achieve and maintain air quality standards. The SJVAPCD recently adopted an Indirect Source Review rule to reduce emissions from construction and use of future development. The California Air Resources Board (CARB) and US Environmental Protection Agency (EPA) have jurisdiction over controlling emissions from mobile sources.

To protect public health the SJVAPCD has adopted plans to achieve ambient air quality standards. The SJVAPCD must continuously monitor its progress for plan implementation. SJVAPCD must report this effort regularly to CARB and the EPA. It must also periodically revise its attainment plans to reflect new conditions and requirements. The SJVAPCD tries to exercise a uniform emission control effort that will bring the entire region into compliance with State and federal standards as quickly as possible.

4. Air Pollutants of Concern

Air quality studies generally focus on five pollutants that are most commonly measured and regulated: Carbon monoxide (CO), ground level ozone (O₃), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), and suspended particulates, i.e., particulate matter with a diameter of less than 10 micrometers (PM₁₀) and particulate matter with a diameter of less than 2.5 micrometers (PM_{2.5}). Each

of these pollutants and the applicable air quality standards are shown in Table 4-3.1.

a. Ozone (O₃)

O₃, a colorless toxic gas, is the chief component of urban smog. O₃ enters the blood stream and interferes with the transfer of oxygen, depriving sensitive tissues in the heart and brain of oxygen. High concentrations of O₃ can adversely affect the human respiratory system. Many respiratory ailments (e.g., asthma), as well as cardiovascular disease, are aggravated by exposure to high O₃ levels. Although O₃ is not directly emitted, it forms in the atmosphere through a chemical reaction between reactive organic gas (ROG) and nitrogen oxides (NO_x) under sunlight.¹ ROG and NO_x are primarily emitted from automobiles and industrial sources. O₃ is present in relatively high concentrations within the San Joaquin Valley, and the damaging effects of photochemical smog are generally related to the concentration of O₃. Highest O₃ concentrations occur during summer and early autumn, on days with low wind speeds or stagnant air, warm temperatures, and cloudless skies. This pollutant is addressed at the regional level.

b. Suspended Particulate Matter

Particulate matter pollution consists of very small particles suspended in the air, which can include smoke, soot, dust, salts, acids, and metals. Particulate matter also forms when industry and gaseous pollutant undergo chemical reactions in the atmosphere. Respirable particulate matter (PM₁₀) and fine particulate matter (PM_{2.5}) represent fractions of particulate matter. PM₁₀ refers to particulate matter less than 10 microns in diameter and PM_{2.5} refers to particulate matter that is 2.5 microns or less in diameter. Major sources of PM_{2.5} results primarily from diesel fuel combustion (from motor vehicles, power generation, industrial facilities), residential fireplaces, and wood stoves. PM₁₀ include all PM_{2.5} sources as well as emissions from dust generated by

¹ ROG and NO_x are emitted from automobiles and industrial sources.

TABLE 4.3-1 | AMBIENT AIR QUALITY STANDARDS FOR CRITERIA POLLUTANTS

Pollutant	Averaging Time	California Standard	Federal		Pollutant Health and Atmospheric Effects	Major Pollutant Sources
			Primary Standard	Secondary Standard		
Ozone (O ₃)	1 hour	0.09 ppm	— ^a	—	Irritation and possibly permanent lung damage.	Motor vehicles, including refining and gasoline delivery.
	8 hours	0.07 ppm	0.08 ppm	—		
Carbon Monoxide (CO)	1 hour	20 ppm	35 ppm	—	Deprives body of oxygen in the blood. Causes headaches and worsens respiratory problems.	Primarily gasoline-powered internal combustion engines.
	8 hours	9 ppm	9.0 ppm	—		
Nitrogen Dioxide (NO ₂)	Annual Average	—	—	0.05 ppm	Irritating to eyes and respiratory tract. Colors atmosphere reddish-brown.	Motor vehicles, petroleum-refining, power plants, aircraft, ships and railroads.
	1 hour	0.25 ppm	—	—		
Sulfur Dioxide (SO ₂)	Annual Average	—	—	0.03 ppm	Irritates and may permanently injure respiratory tract and lungs. Can damage plants, destructive to marble, iron, and steel. Limits visibility and reduces sunlight.	Fuel combustion, chemical plants, sulfur recovery plants and metal processing.
	1 hour	0.25 ppm	—	—		
	24 hours	0.04 ppm	—	0.14 ppm		
				150 µg/m ³ (PM ₁₀)		
Suspended Particulate Matter (PM ₁₀ PM _{2.5})	24 hours	50 µg/m ³ (PM ₁₀)	—	65 µg/m ³ (PM _{2.5})	May irritate eyes and respiratory tract, decrease lung capacity, cause cancer and increased mortality. Produces haze and limits visibility.	Industrial and agricultural operations, combustion, wood smoke, atmospheric photochemical reactions, and natural activities (e.g. wind-raised dust and ocean sprays).
Lead	Monthly	1.5 µg/m ³	—	—	Disturbs gastrointestinal system, and causes anemia, kidney disease and neuromuscular and neurologic dysfunction (in severe cases).	Present sources include: lead smelters, battery manufacturing & recycling facilities. Past sources include: combustion of leaded gasoline.
	Quarterly	—	—	1.5 µg/m ³		

Note: ppm = parts per million; µg/m³ = micrograms per cubic meter.

^a The national 1-hour ozone standard was revoked by U.S. EPA on June 15, 2005.

Source: California Air Resources Board, January 9, 2003.

construction, landfills, and agriculture; wildfires and brush/waste burning, industrial sources, windblown dust from open lands, and atmospheric chemical and photochemical reactions. PM₁₀ and PM_{2.5} pose a greater health risk to people than larger-size particles, because these tiny particles can penetrate the human respiratory system's natural defenses and damage the respiratory tract increasing the number and severity of asthma attacks, cause or aggravate bronchitis and other lung diseases, and reduce the body's ability to fight infections. Whereas, larger particles tend to collect in the upper portion of the respiratory system, PM_{2.5} are so tiny that they can penetrate deeper into the lungs and damage lung tissues. Suspended particulates also damage and discolor surfaces on which they settle, as well as produce haze and reduce regional visibility.

c. Toxic Air Contaminants (TACs)

TACs are a broad class of compounds known to cause morbidity or mortality (usually because they cause cancer) and include, but are not limited to, the criteria air pollutants listed above. TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, fuel combustion, and commercial operations (e.g., dry cleaners). TACs are typically found in low concentrations, even near their source (e.g., benzene near a freeway). Because chronic exposure can result in adverse health effects, TACs are regulated at the regional, state, and federal level.

Diesel exhaust is the predominant TAC in urban air with the potential to cause cancer. It is estimated to represent about two-thirds of the cancer risk from TACs (based on the statewide average). According to the CARB, diesel exhaust is a complex mixture of gases, vapors and fine particles. This complexity makes the evaluation of health effects of diesel exhaust a complex scientific issue. Some of the chemicals in diesel exhaust, such as benzene and formaldehyde, have been previously identified as TACs by the CARB, and are listed as carcinogens either under the state's Proposition 65 or under the federal Hazardous Air Pollutants programs. California has adopted a comprehensive diesel risk reduction program. The EPA and CARB have

adopted low sulfur diesel fuel standards that will reduce diesel particulate matter substantially. These went into effect in June 2006.

5. Regional Efforts to Reduce Air Pollution

The SJVAPCD has plans in place to regulate both O₃ and particulate matter, the pollutants for which the area has been designated as a non-attainment. The District also maintains a series of Air Quality Guidelines for General Plans and projects to which local jurisdictions should adhere in the preparation of the General Plan and updates to it.

a. General Plan Guidelines

The SJVAPCD works with cities and counties to develop General Plans that will help create better air quality in the future. To this end, the SJVAPCD prepared the Air Quality Guidelines for General Plans that sets forth 77 goals, policies and implementation strategies for air quality. The Guidelines emphasize a comprehensive approach to air quality planning that would reach the entire community, integrating land use planning in support of alternative transportation, programs that reduce congestion and vehicle use, review of project and cumulative air quality impacts under CEQA, reducing exposure to toxic air pollutants, and reducing emissions from energy consumption and area sources, including water heaters, woodstoves, fireplaces and barbecues.

b. Indirect Source Review

The SJVAPCD Indirect Source Review rule (Rule 9510) applies to new developments expected to create a substantial amount of air pollution (i.e., greater than 2 tons per year of NO_x or PM₁₀). Permit applications are required for projects that meet any of the following:

- ◆ 50 residential units
- ◆ 2,000 square feet of commercial space
- ◆ 9,000 square feet of educational space
- ◆ 10,000 square feet of government space
- ◆ 20,000 square feet of medical or recreational space
- ◆ 25,000 square feet of light industrial space
- ◆ 39,000 square feet of general office space

- ◆ 100,000 square feet of heavy industrial space; or
- ◆ 9,000 square feet of any land use not identified above

Projects that meet the above thresholds but are found through the application process to have mitigated emissions of less than two tons per year each of NO_x and PM₁₀ would not be subject to the emission-reduction requirements of the rule.

The Indirect Source Review rule requires developers to mitigate at least 20 percent of construction equipment NO_x exhaust; 45 percent of construction equipment PM₁₀ exhaust; 33 percent of operational NO_x (from indirect sources) over 10 years; and 50 percent of operational PM₁₀ over 10 years. Developers are encouraged to mitigate emissions onsite, but can pay for offsite mitigation. The rule contains fee formulas to determine the cost for off site mitigation, which include administrative fees. The fees reduce air pollutant emissions by helping to fund clean air projects, such as paving unpaved roads, retiring polluting vehicles, upgrading dirty engines to cleaner models, and other projects.

c. Regulation VIII – Fugitive PM₁₀

SJVUAPCD controls fugitive PM₁₀ through Regulation VIII (Fugitive PM₁₀ Prohibitions). The purpose of this regulation is to reduce ambient concentrations of PM₁₀ by requiring actions to prevent, reduce or mitigate anthropogenic fugitive dust emissions. This applies to activities such as construction, bulk materials, open areas, paved and unpaved roads, material transport, and agricultural areas. Sources regulated are required to provide dust control plans that meet the regulation requirements. Fees are collected by the District to cover costs for reviewing plans and conducting field inspections.

d. Regulation IV, Rule 4901 – Residential Wood Smoke

SJVUAPCD Rule 4901 regulates emissions from residential fireplaces and wood burning heaters and provides educational information to reduce wood smoke emissions. The provisions of the rule apply to construction of new homes, retrofit of existing homes, or homes that are transferred through a

real estate transfer. Wood burning heaters are required to be EPA Phase II Certified. Wood burning residential fireplaces are prohibited in residential developments with a density greater than two dwelling units per acre. More than two EPA Phase II Certified wood burning heaters per acre are prohibited in any new residential development with a density equal to or greater than three dwelling units per acre. Only one fireplace is allowed per dwelling unit where the density is less than two dwelling units per acre.

B. Existing Conditions

Newman is located within the San Joaquin Valley Air Basin, which is about 35 miles wide and 250 miles long. Surrounded by mountain ranges, the air basin drains to the north, with an opening at the Carquinez Strait leading into San Francisco Bay and then the Pacific Ocean. Summer winds blowing out of the north become trapped in the southern portion of the basin. The potential for serious summer air pollution in the San Joaquin Valley air basin is strong because of high surface temperatures, plentiful sunshine, relatively stable air, and mountains that trap emissions. In winter, low rainfall, strong inversions and weak winds allow emissions to build up to high levels. In the Newman area, local pollution sources are augmented by emissions transported from upwind sources. Conversely, air pollutant emissions created in Newman can be transported toward other communities by the wind, and contribute to unhealthful levels in those areas. Hence controlling air pollution requires both local and regional efforts and unified programs to achieve clean air.

1. Ambient Air Quality Conditions

CARB measures ambient air quality concentrations at two locations in Stanislaus County. The monitoring stations in Modesto and Turlock are generally representative of regional air quality conditions (i.e., ozone levels) in this part of the San Joaquin Valley. Because of the rural nature of Newman, the monitor at Turlock is most representative for localized air pollutants (particulate matter and carbon monoxide). During the past five years, the State one-hour ozone standard was exceeded from nine to 31 days

per year in Turlock. Modesto had fewer exceedances, with two to 14 days per year. The federal 8-hour standard was exceeded four to 25 days per year in Turlock and between zero to seven days per year in Modesto. Reasons for higher ozone levels in Turlock are related to the complex conditions that result in ozone formation. Also, emissions from the City of Modesto lead to higher concentrations downwind where the Turlock Station and Newman are located.

2. Attainment Status and Air Quality Planning

The region as a whole, does not meet ambient air quality standards set at the State and federal levels. The EPA has designated the region as Serious Nonattainment for ground level ozone and Nonattainment for PM₁₀ and PM_{2.5}. Under the California Clean Air Act, the region is designated as Severe Nonattainment for ground level ozone and Nonattainment for PM₁₀ and PM_{2.5}. The area is considered either Unclassified or Attainment for all other air pollutants regulated by the State or the EPA.

C. Standards of Significance

The proposed General Plan would have a significant air quality impact if it would meet the following standards of significance established by the SJVAPCD:²

- ◆ Conflict with or obstruct implementation of the applicable air quality plan.
- ◆ Conflict with the General Plan Guidelines as adopted by the SJVAPCD.
- ◆ Create objectionable odors affecting a substantial number of people.
- ◆ Violate any air quality standard or contribute substantially to an existing or projected air quality violation.

² San Joaquin Valley Unified Air Pollution Control District (SJVAPCD), 1998, *Guidance for Assessing and Mitigating Air Quality Impacts*.

- ◆ Result in a cumulatively considerable net increase of any criteria pollutant for which the project is non-attainment under applicable federal or state ambient air quality standards (including releasing emissions which exceed quantitative thresholds for ozone precursors).
- ◆ Expose sensitive receptors to substantial pollutant concentrations.

D. Impact Discussion

The following provides an analysis of the effects of the proposed General Plan on regional air quality.

1. Project Impacts

a. Consistency with Regional Clean Air Planning Efforts

The following discusses the proposed General Plan's consistency with the regional clean air planning efforts.

i. Clean Air Planning Population Projections and Assumptions

The population of Newman and the SOI would increase as a result of development of the land uses allowed under the proposed General Plan. Based on the Stanislaus Council of Governments (StanCOG)'s Projections 2005 forecasts, the population of the City of Newman Planning Area would be 38,582 in 2030. This forecast population is less than the proposed General Plan's projected buildout population of up to 45,703, which would be a 352 per cent increase over existing population. Air pollutant emissions would also be higher under the proposed General Plan, as shown in Table 4.3-2. Under the proposed General Plan, year 2030 projections of vehicle miles traveled (VMT) associated with development in Newman would increase at a greater rate than assumed by SJVAPCD in the clean air planning efforts. Traffic modeling based on the General Plan's projected population increase indicates the corresponding VMT under the proposed General Plan would be almost 23 percent higher than under the existing General Plan projections. The existing General Plan projections are typically in line with the assumptions used by StanCOG and used by SJVAPCD.

TABLE 4.3-2 **COMPARISON OF PROJECTED VEHICLE MILES TRAVELED AND CORRESPONDING POLLUTANT EMISSIONS – EXISTING GENERAL PLAN VERSUS PROPOSED GENERAL PLAN GROWTH PROJECTIONS**

Projected Amount – VMT and Associated Vehicle Exhaust			
	Existing General Plan	Proposed General Plan	Difference
VMT (1,000 miles)	370	454	+84 (22.7%)
ROG (lbs/Day)	139	171	+ 421
NO _x (lbs/Day)	194	238	+ 44
PM ₁₀ (lbs/Day) *	35	43	+ 8

Note: Emissions calculated using the EMFAC2002 model for 2030 summer conditions in Stanislaus County

* Does not include entrained roadway dust.

In addition, the amount of new non-residential uses that could be developed under the proposed General Plan could substantially increase the number of external vehicle trips from nearby communities to Newman. External trips are typically longer, which can result in higher air pollutant emissions. At the same time, these new non-residential uses may have the effect of reducing the number of external trips generated by Newman’s residential development for activities such as shopping.

Under buildout conditions, mobile source emissions associated with the proposed General Plan would be about 2.4 percent of the Stanislaus County’s mobile emissions. While the regional increases are relatively small when compared with County’s total projected emissions, the fact that they exceed the projections used in the region’s clean air planning efforts would nonetheless constitute a *significant* air quality impact. Clean air planning efforts use StanCOG projections to meet goals of federally required ozone and PM₁₀ attainment plans. The State required triennial Clean Air Plan

prepared to show progress toward meeting the California ambient air quality standard for ozone also uses these projections. If just the Newman General Plan's population exceeded the StanCOG projections, there would be very little effect on future ozone or PM₁₀ levels. However, the ability for the area to meet ozone and PM₁₀ air quality standards could be compromised if many other communities in and around the San Joaquin Valley exceed population and VMT projections.

The proposed General Plan includes a number of policies that seek to reduce air pollution and minimize the air quality impacts of new development. The proposed General Plan focuses on mixed-use land uses that would promote alternative modes of transportation and contains numerous policies and programs that, if adopted and implemented, would act to help reduce motor vehicle use within, which would reduce the rate of VMT from trips generated in Newman. These policies are listed below under "Consistency with TCMs." The proposed General Plan also contains other policies that would reduce air pollution associated with energy usage. Policies and Actions under Goal NR-4 in the Natural Resources Element specifically focus on promoting and improving air quality. These include: Policy NR-4.1, which encourages the City to attain compliance with federal and State air quality standards; and Policies NR-4.2, NR-4.3, NR-4.4 and NR-4.10, which would require use of SJVAPCD methodology and thresholds for air quality analyses, and adherence to the District's guidelines in implementing construction period pollution control measures. Policy NR-4.5 would require the City to design intersections to reduce air pollution emissions, and Policy NR-4.6 would address the location of sensitive receptors away from potential generators of air pollutants. Policy NR-4.9 requires the City to support efforts of the SJVAPCD and other agencies in regional air quality management planning, programs, educational and enforcement measures. Other policies under Goal NR-4 call for: expanding employment opportunities to reduce commuting times and increasing ridesharing and transit use (Policy NR-4.7 and NR-4.8); requiring installation of cleaner, gas-burning fireplaces in new developments (Policy NR-4.12); requiring new developments to comply with SJVAPCD Rule 9510 - Indirect Source Review (Policy NR-4.11); encouraging

construction of bicycle, pedestrian and transit facilities (Policy NR-4.13); requiring features in new developments that reduce reliance of gas-powered landscape equipment (Policy NR-4.14).

While the various policies outlined above would reduce air pollutant emissions that affect both Newman and the region, the impact from the proposed General Plan would be *significant* because the population increase under the plan and associated VMT increase would occur at a greater rate than the projected rate used by StanCOG's projections, then used by SJVAPCD in the regional clean air planning efforts.

ii. Consistency with Transportation Control Measures

Table 4.3-3 lists the policies of the proposed General Plan that are supportive of the Transportation Control Measures (TCMs) adopted by SJVAPCD. A description of each TCM is provided along with a listing of relevant proposed General Plan policies that would implement each measure. The proposed policies support and reasonably implement the SJVAPCD's clean air planning TCMs, and thus would be consistent with these measures. This would be a *less-than-significant* impact.

b. Buffer Zones for Potential Sources of Odor and Toxic Air Contaminants
SJVAPCD's Air Quality Guidance for General Plans calls for a General Plan to establish appropriate land use buffers around existing and proposed land uses that would be a source of odors and/or toxic air contaminants. Such buffer zones should be established through General Plan policies, in the General Plan land use map, and in implementing ordinances, such as the Zoning Ordinance.

Newman does not include any existing major odor sources that would affect sensitive land uses that could be developed under the proposed General Plan. In addition, avoidance of odor-related land use conflicts through separation is specifically addressed in Policy NR-4.6 of the proposed Natural Resources Element, Policy LU-6.3 of the proposed Land Use Element and Policy TC-4.1 of the proposed Traffic and Circulation Element.

There are no major sources of air pollution or toxic air contaminants in Newman. Since there are no major highways or freeways within Newman or the SOI (highways with greater than 50,000 ADT), it was determined unnecessary to perform a screening for diesel particulate matter emissions. The above-referenced proposed General Plan policies also address the setting of sensitive receptors near mobile sources of toxic air contaminants.

In consideration of the above aspects, the proposed General Plan would generate a *less-than-significant* impact with regard to odor sources and toxic air contaminants.

c. Carbon Monoxide Emissions

Carbon monoxide emissions from traffic are typically the pollutant of greatest concern at the local level. The area surrounding Newman is fairly rural, and as a result, background carbon monoxide concentrations are low. Congested intersections with a large volume of traffic have the greatest potential to cause high-localized concentrations of carbon monoxide. Since the early 1990s, carbon monoxide levels have been at healthy levels (i.e. below State and federal standards) in the San Joaquin Valley. As a result, the region has been designated as attainment for the standard. There are no ambient air quality stations in Newman that measure carbon monoxide. The nearest representative station is in Turlock, where the highest measured levels are about one-quarter of the standard. Use of the CARB EMFAC2002 model indicates that current carbon monoxide emissions rates are predicted to decline substantially in the future. Existing traffic levels and future projections are too low to trigger the need for detailed modeling of intersections to predict carbon monoxide levels. Carbon monoxide concentrations in and around Newman are predicted to remain well below State and federal standards due to the rural nature of the area, relatively low traffic volumes on major roadways and anticipated further reductions in

TABLE 4. 3-3 **PROPOSED GENERAL PLAN CONSISTENCY WITH CLEAN AIR PLANNING TCMs**

Transportation Control Measure	Relevant Proposed General Plan Policies
1. Traffic Flow Improvements	<p>Policy TC-1.1 - The City shall endeavor to maintain a LOS C on all streets and signalized intersections.</p> <p>Policy TC-1.2 - To identify potential impacts of new development on traffic service levels, the City shall require the preparation of traffic impact analysis at the expense of the developer for developments deemed large enough to have potential significant traffic impacts.</p> <p>Policy TC-1.4 - The City shall encourage development of a grid pattern in newly developing areas. Development of cul-de-sacs that do not provide for through bicycle and pedestrian connections shall be discouraged.</p> <p>Policy TC-1.6 - Street widths for new or improved arterials, collector and local streets shall be limited to the minimum width necessary to maintain a LOS C while still allowing for adequate bicycle and pedestrian facilities.</p> <p>Policy TC-1.11 - Industrial and commercial development shall be planned so that truck access through residential areas is minimized.</p>
3. Public Transit	<p>Policy TC-2.1 - The City shall work with the Stanislaus Regional Transit (START) to maintain and expand van and bus service to Newman.</p> <p>Action TC-2.2 - The City shall cooperate with Stanislaus County and other transportation agencies in exploring long-term possibilities of developing commuter rail service on the West Side.</p>
4. Rideshare Program	<p>Policy TC-3.1 - The City shall encourage and support programs that will increase ridesharing.</p>
5. Park and Ride Lots	<p>Policy TC-3.2 - The City shall cooperate with Caltrans and local agencies to develop park-and-ride facilities.</p>
6. Bicycling Program	<p>Policy TC-7.1 - The City shall create and maintain a safe and convenient system of pedestrian and bicycle facilities that encourage walking or bicycling as an alternative to driving.</p> <p>Policy TC-7.2 - The City shall promote development and street patterns that encourage walking, bicycling and other forms of non-motorist transportation.</p> <p>Policy TC-7.6 - Bicycle facilities shall be developed on all new and existing arterials and major collectors, where feasible. Bicycle facilities on arterials should consist of either Class I (Bike Path) or Class II (Bike Lanes) facilities. On major collector streets bicycle facilities should consist of Class II bike lanes.</p> <p>Policy TC-7.7 - The City shall require inclusion of bicycle parking facilities at all new major public facilities and commercial and employment sites.</p> <p>Policy TC-7.8 - Bicycle and pedestrian safety shall be considered when designing and implementing improvements for automobile traffic operations. Improvements for motor vehicle circulation shall not detract from or degrade the pedestrian and bicycle circulations</p>

TABLE 4. 3-3 **PROPOSED GENERAL PLAN CONSISTENCY WITH CLEAN AIR PLANNING TCMs (CONT)**

Transportation Control Measure	Relevant Proposed General Plan Policies
	<p>system.</p> <p>Policy TC-7.9 - The City shall work with Stanislaus County, Merced County, the cities of Patterson, Crows Landing, Gustine, and other West Side communities in an effort to develop a regional bike path along the railroad right-of-way and the CCID canal linking Newman with other West Side communities.</p>
12. Parking Management	<p>Policy TC-6.2 - The City shall require adequate off-street parking in conjunction with all new developments. Shared parking arrangements shall be encouraged. To the maximum extend possible; downtown parking shall be located behind buildings, out of direct view from Main Street.</p> <p>Policy TC-6.3 - In the design of new or reconfiguration of existing streets, the City shall balance the need for improved traffic flow with need for on-street parking.</p> <p>Action TC-6.3 - Explore the creation of a parking assessment district in the downtown commercial core.</p>
14. Jobs-Housing Balance	<p>Policy LU-2.6 - The City shall promote the development of employment uses that improve the City's current jobs-housing imbalance.</p>
19. Pedestrian Improvements	<p>Policy TC-7.2 - The City shall promote development and street patterns which encourage walking, bicycling and other forms of non-motorist transportation.</p> <p>Policy TC-7.3 - The City shall require installation of sidewalks along all city streets in newly developing areas, and work with property owners to complete the sidewalk system in existing developed areas.</p> <p>Policy TC-7.4 - New development shall meet the ADA requirements to facilitate the mobility of persons with accessibility needs.</p> <p>Policy TC-7.5 - Within the Master Plan Sub-areas a system of pedestrian pathways shall be developed within linear open space corridors linking residential neighborhoods, parks, schools, downtown, shopping areas and employment centers.</p> <p>Policy TC-7.8 - Bicycle and pedestrian safety shall be considered when designing and implementing improvements for automobile traffic operations. Improvements for motor vehicle circulation shall not detract from or degrade the pedestrian and bicycle circulations system.</p> <p>Policy LU-2.8 - New development shall emphasize pedestrian accessibility and facilitate the use of non-automobile forms of transportation.</p>
21. Land Use	<p>Policy LU-1.2 - The City will phase development over the time frame of this General Plan. No more than two neighborhood Master Plan subareas shall be developed concurrently. Before development of a third subarea, one of the two subareas developing concurrently must be substantially completed.</p> <p>Policy LU-2.1 - The City shall link the rate of growth in Newman to the provision of adequate services and infrastructure, and ensure that growth occurs in an orderly fashion an din pace with the provision of public facilities and services.</p> <p>Policy LU-2.3 - The City shall require preparation and approval of Master Plans for developing areas on the periphery of the City prior to annexation and development of these areas.</p> <p>Policy LU-2.4 - For Master Plan areas planned for both residential and business park uses,</p>

TABLE 4.3-3 PROPOSED GENERAL PLAN CONSISTENCY WITH CLEAN AIR PLANNING TCMs(CONT)

Transportation Control Measure	Relevant Proposed General Plan Policies
21. Land Use (continued)	<p>development of both uses is to run concurrently.</p> <p>Policy LU-2.6 - The City shall promote the development of employment uses that improve the City's current jobs-housing imbalance.</p> <p>Policy LU-2.8 - New development shall emphasize pedestrian accessibility and facilitate the use of non-automobile forms of transportation.</p> <p>Policy LU-2.9 - The City shall promote development that maintains the downtown as the geographic and economic center of Newman.</p> <p>Policy LU-3.1 - The City shall encourage business and services in the downtown that provide cultural and social enrichment, as well as extend the hours during which downtown is an active place.</p> <p>Policy LU-3.3 - Properties along Main Street shall be developed as a complimentary and compatible extension of downtown.</p> <p>Policy LU-3.4 - Expansion of the existing downtown should be phased in relation to the City's overall growth to maintain an active downtown during all stages of development.</p> <p>Policy LU-3.7 - The City shall promote infill development and the conversion of industrial properties to retail and commercial and/or office uses in downtown.</p> <p>Policy LU-4.4 - The City shall provide for the development of affordable housing to meet the needs of low and moderate-income households.</p> <p>Policy LU-4.6 - Generally, higher density housing shall be located along collector and arterial streets and within easy walking distance of the downtown and neighborhood shopping areas.</p> <p>Policy LU-4.7 - The City shall promote the preservation of the integrity and stability of existing neighborhoods.</p> <p>Policy LU-6.3 - The City shall promote the development of clean industries that do not create problems or pose health risks with water and air pollution or potential leaks and spills.</p> <p>Policy LU-7.6 - The City shall encourage the development and operation of childcare facilities.</p>

carbon monoxide emissions. As a result, the impact on local air quality resulting from the project is considered to be *less-than-significant*, and sensitive receptors *would not be significantly* impacted by carbon monoxide concentrations.

d. Construction Emissions

Under the proposed General Plan, new construction projects could occur in Newman, involving activities that are a source of air pollutants. Construction activities such as demolition, grading, construction worker travel to and from project sites, delivery and hauling of construction supplies and debris to and from the project site, and fuel combustion by on-site construction equipment would generate pollutant emissions. These construction activities would temporarily create emissions of dust, fumes, equipment exhaust and other air contaminants. Dust emissions can lead to both nuisance and health impacts.

PM₁₀ is the pollutant of greatest concern that is emitted from construction, particularly during site preparation and grading. PM₁₀ emissions from construction activity tend to vary daily, depending on factors such as the level of activity, type of construction activity taking place, the equipment being operated, weather conditions and soil conditions. The SJVAPCD Guide for assessing and mitigating air quality impacts has identified a set of feasible PM₁₀ control measures for construction activities which, if implemented, would reduce impacts for PM₁₀ emissions to a less-than-significant level. In addition, new development projects are subject to the District's Indirect Source Rule and Regulation VIII. The indirect source review rule requires mitigation and/or emission offsets for construction activities. Regulation VIII, requires developers and construction contractors to develop dust control plans and implement measures to reduce PM₁₀ emissions.

The SJVAPCD and CARB have regulations that address the handling of hazardous air pollutants such as asbestos that may be released during demolition activities. SJVAPCD rules and regulations address both the handling and transport of these contaminants. An air toxic control measure

adopted by the CARB requires measures to minimize asbestos emissions in areas known to have naturally occurring asbestos. Construction work that is performed in accordance with SJVAPCD and CARB rules and regulations and that implements construction air pollutant control measures recommended by the SJVAPCD would *not be expected to result in significant* air quality impacts.

e. Wood Smoke

Wood smoke from new residential fireplaces or wood stoves could emit significant amounts of PM₁₀ and PM_{2.5}. Such devices in existing residential units in Newman likely contribute to significant levels of PM₁₀ and PM_{2.5} in winter and future installation of wood-burning appliance could worsen this situation. However, Policy NR-4.12 of the proposed Natural Resources Element would require only clean-burning EPA-certified wood stoves, pellet-fueled stoves, or natural gas fireplaces during renovations; and for new residential units, allow only gas-burning fireplaces, consistent with SJVUAPCD Regulation IV, Rule 4901. These requirements would reduce any wood smoke impacts from new development or major renovations occurring under the proposed General Plan to a *less-than-significant* level.

2. Cumulative Impacts

Cumulative air quality impacts are considered as part of the project-level analysis since a cumulative traffic model generated the future traffic projections used for the air quality analysis. The traffic model considered growth under the proposed General Plan in conjunction with projected regional growth for Stanislaus and Merced counties. The comparative increase in air pollution due to the proposed General Plan was small when compared to the County as a whole. However, since the proposed General Plan growth assumptions exceed SJVAPCD's regional clean air planning assumptions, and the San Joaquin Valley Air Basin is in non-attainment for ground level ozone and particulate matter air pollutants, the proposed General Plan would contribute to a *significant, unavoidable* cumulative air quality impact.

E. Impacts and Mitigation Measures

Impact AIR-1: Even though the proposed General Plan contains policies that reduce single-occupant vehicle trips and other air pollutants, the proposed General Plan would not be consistent with applicable air quality plans of the SJVAPCD, since population growth that could occur under the proposed General Plan would exceed that projected by StanCOG and used in projections for air quality planning. The projected growth would lead to an increase in the region's VMT, beyond that anticipated in the SJVAPCD's clean air planning efforts. As a result, the impact is considered *significant and unavoidable*.

Impact AIR-2: Cumulative development in Newman and its SOI would contribute to on-going air quality issues in the San Joaquin Valley Air Basin. This cumulative impact would be considered *significant and unavoidable*.

CITY OF NEWMAN
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AIR QUALITY

4.4 BIOLOGICAL RESOURCES

This section summarizes information on the biological resources in Newman and provides an evaluation of the effects the proposed General Plan would have on any sensitive resources.

A. Regulatory Framework

The following describes the State and federal regulations that provide for protection and management of sensitive biological resources.

1. Federal

The federal laws that regulate the treatment of biological resources include the Federal Endangered Species Act, the Migratory Bird Treaty Act and the Clean Water Act. The relevant sections of each are discussed below.

a. Endangered Species Act

The US Fish and Wildlife Service (USFWS) is responsible for implementation of the Federal Endangered Species Act (FESA) (16 U.S.C. section 1531 et seq.). The FESA protects fish and wildlife species that are listed as threatened or endangered, and their habitats. “Endangered” species, subspecies or distinct population segments are those that are in danger of extinction through all or a significant portion of their range, and “threatened” species, subspecies or distinct population segments are likely to become endangered in the near future.

Section 9 of the FESA prohibits the “take” of any fish or wildlife species listed under the FESA as endangered. “Take” of threatened species is also prohibited, unless otherwise authorized by federal regulations. “Take,” as defined by the FESA, means “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct.” Harm is defined as “any act that kills or injures the species, including significant habitat modification.” Section 9 of the FESA also prohibits removing, digging up, cutting, maliciously damaging or destroying federally-listed plants on sites under federal jurisdiction.

b. Migratory Bird Treaty Act

The USFWS is also responsible for implementing the Migratory Bird Treaty Act (MBTA) (16 U.S.C. section 703-712 et seq.). The MBTA implements a series of treaties between the United States, Mexico and Canada that provide for the international protection of migratory birds. The law contains no requirement to prove intent to violate any of its provisions. Wording in the MBTA makes it clear that most actions that result in “taking” or possession (permanent or temporary) of a protected species can be a violation of the Act. The word “take” is defined as meaning “pursue, hunt, shoot, wound, kill, trap, capture or collect, or attempt to pursue, hunt, shoot, wound, kill, trap, capture or collect.” The provisions of the MBTA are nearly absolute; “except as permitted by regulations” is the only exception. Examples of permitted actions that do not violate the law are the possession of a hunting license to pursue specific game birds, legitimate research activities, display in zoological gardens, bird-banding and similar activities.

c. Clean Water Act

The Clean Water Act is administered by the federal Environmental Protection Agency (EPA) and the US Army Corps of Engineers (Corps). The Corps is responsible for regulating the discharge of fill material into waters of the United States. Waters of the United States include lakes, rivers, streams and their tributaries, as well as wetlands. Wetlands are defined for regulatory purposes as areas “inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.”¹

The discharge of dredged or fill material into waters of the United States is subject to permitting under Section 404 (Discharges of Dredge or Fill Material). Section 401 (Certification) specifies additional requirements for permit review, particularly at the state level. Project proponents must obtain a per-

¹ Environmental Protection Agency, <http://www.epa.gov/owow/wetlands/what/definitions.html>, *Wetlands Definition*, accessed on June 27, 2005.

mit from the Corps for all discharges of dredge or fill material into waters of the United States, including wetlands, before proceeding with a proposed action. Corps permits must be certified by the State Water Resources Control Board in order to be valid.

Certification from the California Regional Water Quality Control Board (RWQCB) is also required when a proposed activity may result in discharge into navigable waters, pursuant to Section 401 of the Clean Water Act and EPA 404(b)(1) Guidelines.

2. State

The most relevant State laws regulating biological resources are the California Endangered Species Act, the California Native Plant Protection Act and the California Fish & Game Code, each of which is described below.

a. California Endangered Species Act

The California Department of Fish and Game (CDFG) administers the California Endangered Species Act (CESA), which protects wildlife and plants listed as threatened and endangered by the California Fish and Game Commission. Like the FESA, the CESA provides additional protection to threatened and endangered species in California.² CESA requires State agencies to conserve threatened and endangered species (Section 2055), and thus restricts all persons from taking listed species except under certain circumstances. The CESA defines take as any action or attempt to “hunt, pursue, catch, capture, or kill.” CDFG may authorize “take” under Section 2081 agreements, except for designated “fully protected species.” The requirements for an application for an incidental take permit under CESA are described in Section 2081 of the California Fish and Game Code and in final adopted regulations for implementing Sections 2080 and 2081.

² The State Endangered Species Act does not supersede the federal Endangered Species Act.

b. California Fish and Game Code

Under the California Fish and Game Code, the CDFG provides protection from “take” for a variety of species. Species that are designated “fully protected”³ are protected against direct impacts. Section 5050 lists protected amphibians and reptiles. Eggs and nests of all birds are protected under Section 3503, nesting birds (including raptors and passerines) under Sections 3503.5 and 3513, birds of prey under Section 3503.5, and fully protected birds under Section 3511. All birds that occur naturally in California and are not resident game birds, migratory game birds or fully protected birds are considered non-game birds and are protected under Section 3800. Mammals are protected under Section 4700.

The CDFG also protects streams, water bodies and riparian corridors through the Streambed Alteration Agreement process under Section 1601 to 1606 of the California Fish and Game Code. Jurisdictional authority of the CDFG over wetland areas is also established under Sections 1601 to 1606. The Fish and Game Code stipulates that it is “unlawful to substantially divert or obstruct the natural flow or substantially change the bed, channel or bank of any river, stream or lake” without notifying the Department, incorporating necessary mitigation and obtaining a Streambed Alteration Agreement. CDFG’s jurisdiction extends to the top of banks and often includes the outer edge of riparian vegetation canopy cover.

The CDFG has developed detailed mitigation guidelines in an effort to protect critical habitat for Swainson's hawk. The *Draft Mitigation Guidelines for Swainson's Hawk in the Central Valley of California* were prepared by the CDFG to provide information on recommended management, natural history and population status, nesting and foraging requirements, and mitigation criteria for Swainson's hawk, with a general goal of no net loss of breeding or foraging habitat. The guidelines are intended to provide lead agencies and project sponsors with an interim framework for developing adequate meas-

³ Most “fully protected” species have also been listed as threatened or endangered species under the more recent endangered species laws and regulations. (http://www.dfg.ca.gov/hcpb/species/t_e_spp/fullypro/fully_pro.shtml).

ures to mitigate the loss of habitat until a comprehensive habitat resource plan is completed by the CDFG or habitat conservation plans are implemented on a local level. The mitigation criteria specified in the guidelines include: consultation with representatives of CDFG; restrictions on disturbance within a ½-mile of a known nest site from March 1 through August 15; prevention of loss of nest trees, maintenance of sufficient foraging habitat to support breeding pairs and successful fledging of young; and restoration and enhancement of nesting and foraging habitat.

c. California Native Plant Protection Act

The California Native Plant Protection Act of 1977 prohibits importation of rare and endangered plants into California, “take” of rare and endangered plants, and sale of rare and endangered plants. CESA defers to the California Native Plant Protection Act, which ensures that State-listed plant species are protected when State agencies are involved in projects subject to CEQA. In this case, plants listed as rare under the California Native Plant Protection Act are not protected under CESA, but rather under CEQA.

The following kinds of activities are exempt from the California Native Plant Protection Act:

- ◆ Agricultural operations.
- ◆ Fire control measures.
- ◆ Timber harvest operations.
- ◆ Mining assessment work.
- ◆ Removal of plants by private landowners on private land for construction of canals, ditches, buildings, roads or other rights-of-way.
- ◆ Removal of plants for performance of a public service by a public agency or a publicly- or privately-owned public utility.

3. Local - Habitat Conservation Plan

Currently, there are no Habitat Conservation Plans that encompass the City of Newman and no such plans would be included in the proposed General Plan.

B. Existing Conditions

1. Vegetation and Wildlife Resources

The Sphere of Influence (SOI) contains the developed parts of Newman and surrounding lands used primarily for intensive agricultural production. This land no longer maintains a wildland habitat for migratory fish or wildlife species, nor is it a corridor or a nursery site. Ornamental trees and shrubs surround homes within the city limits and more rural residences. A few native valley oaks occur in developed areas around the Inyo Road intersection with Highway 33, and around an abandoned rural residence on Stuhr Road east of Highway 33. Vegetative cover within this area is illustrated in Figure 4.4-1.

Wildlife associated with developed and landscaped areas are typical of urban and suburban settings in the Central Valley, dominated by common species such as pocket gopher, common crow, yellow-billed magpie, European starling, house finch, American robin, mourning dove, scrub jay and northern mocking bird.

Agriculture cover in the SOI consists of hay and row crops, with some orchards, and a few large parcels used for extensive grazing to the northeast. Despite their intensive management and lack of natural vegetation, agricultural areas support a diversity of birds and other wildlife. The relative wildlife value of agricultural lands depends on several factors, including crop type, irrigation system, pesticide and herbicide use, farming practices, and surrounding land use. Alfalfa fields are particularly valuable as foraging habitat for raptors, including northern harrier, American kestrel, white-tailed kite and the state-threatened Swainson's hawk. In addition, colonies of California

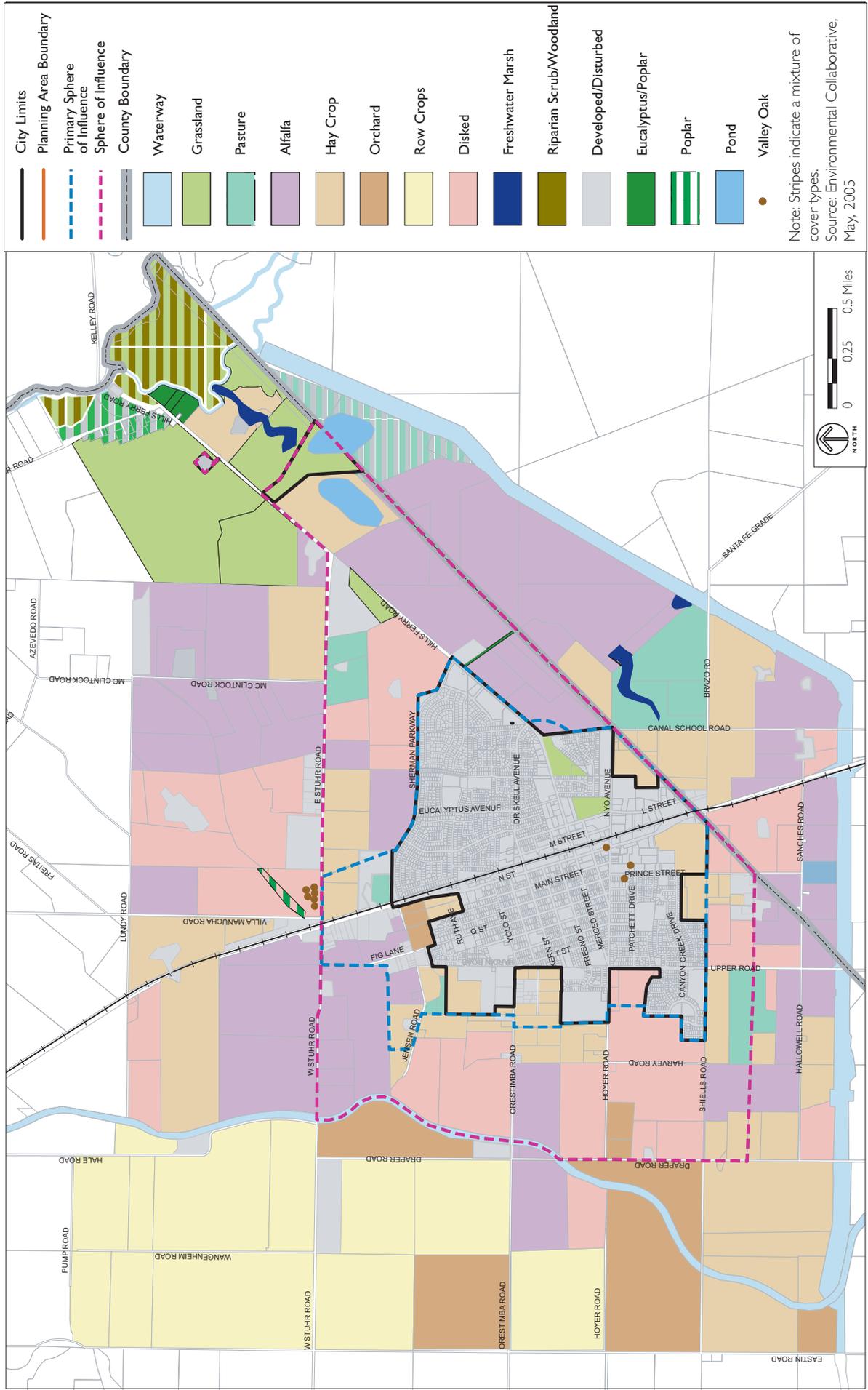


FIGURE 4.4-1

ground squirrel were observed at field margins in the outlying agricultural areas. Scattered blue gum eucalyptus, Fremont cottonwood, lombardy poplar, valley oak and other mature trees provide important perching substrate, and possible nesting habitat for raptors and other birds.

Grazing lands in the northeastern portion of the SOI continue to support remnant valley grassland habitat. The grasslands appear to be dominated by non-native grasses and forbs, but native species are most likely still present. Because of the lack of repeated disking and disturbance, the grasslands support high populations of insects, California vole, pocket gopher, and ground squirrel, which in turn provide important foraging opportunities for raptors and other bird species.

There also remains a potential for a number of special-status species plants in these grasslands. Stands of introduced eucalyptus occur around rural development at Hills Ferry, along the northeastern city limit. Although these trees were planted as windbreaks and woodlots, they provide suitable nesting habitat for raptors and other birds with a grassland understory.

The San Joaquin River lies northeast of the SOI, where native vegetation is abundant and is dominated by mature valley oak, willow, Fremont cottonwood and elderberry in the riparian woodland, areas of open grasslands, and marshland vegetation along the channel margins. The complex of woodlands, grasslands and marshlands form a diverse ecosystem that supports a wide variety of plants and animals, including a number of special-status species such as nesting Swainson's hawk, western pond turtle and Delta button-celery.

2. Wetlands

Wetlands are generally considered to be areas that are periodically or permanently inundated by surface or ground water, and support vegetation adapted to life in saturated soil. Wetlands are recognized as important features on a regional and national level due to their high inherent value to fish and wildlife, use as storage areas for storm and flood waters, and water recharge, filtration and purification functions. The CDFG, the RWQCB, and the Corps

have jurisdiction over modifications to river banks, lakes, stream channels and other wetland features.

Review of the National Wetland Inventory (NWI) mapping indicates that wetlands are generally absent in the Newman SOI boundaries, but occur in a number of locations in the Planning Area. Indicators of wetland vegetation were observed in the pastureland north of Brazo Road and east of Canal School Road, and this entire area is mapped as freshwater emergent wetland in the NWI mapping. The Newman Wasteway is also mapped as a freshwater wetland. Scattered freshwater wetlands are also mapped along drainages and depressions in the pasturelands in the northeastern portion of the Planning Area. Extensive deepwater and freshwater wetlands are mapped along the San Joaquin River corridor and along the Orestimba Creek corridor; however, these lands are not within the SOI for the City of Newman.

These areas may provide suitable habitat for several special-status plant species, such as the State-endangered Delta button-celery. Areas of wetlands, freshwater marsh and pond habitat also provide important foraging and nesting opportunities for a wide variety of wildlife, including mallards and other ducks, great blue herons, egrets, snipe, killdeer, red-winged blackbirds, northern harriers and white-tailed kite.

3. Special-Status Species

Special-status species are plants and animals that are legally protected under the State and/or federal Endangered Species Acts or other regulations, as well as other species that are considered rare enough by the scientific community and trustee agencies to warrant special consideration, particularly with regard to protection of isolated populations, nesting or denning locations, communal roosts and other essential habitat. Species with legal protection under the Endangered Species Acts often represent major constraints to development, particularly when they are wide ranging or highly sensitive to habitat disturbance and where proposed development would result in a “take” of these species.

There are dozens of special-status plant species which are known or suspected to occur in the southwest area of Stanislaus County, most of which are considered rare (list 1B) by the California Native Plant Society (CNPS), with varied State and federal listing status. However, due to the extent of past and on-going disturbance, the potential for occurrence of species-status plant species in most of the SOI is generally considered to be low. Where disturbance has been limited, such as the remaining grasslands in the northeastern SOI and areas of potential wetlands, further detailed surveys would be necessary to confirm the presence or absence of any plant species of concern.

A number of bird, mammal, reptile, fish, and insect species with special status are also known or suspected to occur in the southwestern portion of Stanislaus County. These include a number of raptors, such as Cooper's hawk, sharp-shinned hawk, burrowing owl, Swainson's hawk, northern harrier, white-tailed kite, California horned lark and the American peregrine falcon, as well as a number of other species such as various bats, San Joaquin kit fox, San Joaquin whipsnake, California red-legged frog and valley elderberry longhorn beetle.

Of this large list, only a few have been mapped as occurring in the vicinity of Newman by the California Natural Diversity Data Base (CNDDB) of the CDFG. Many of the above species have no legal protective status under the State or federal Endangered Species Acts, and occurrence information is not monitored by the CNDDB.

Most of the CNDDB records from Newman and its surroundings are limited to sightings of Swainson's hawk, burrowing owl and San Joaquin kit fox. These three species are considered to represent the largest potential biological constraint to development in the SOI due to known occurrences and their dependence on the remaining grassland and agricultural habitat. Although no occurrence of valley elderberry longhorn beetle have been reported from the Newman vicinity, this species is generally known from throughout the Central Valley and the USFWS considers the beetle's larval host plant within the

known range to be potentially occupied habitat. Additional information on these four species is summarized below.

- ◆ **Swainson's hawk.** Swainson's hawk is a State-listed threatened species. Most of the Swainson's hawk occurrence records are for nests in trees along the San Joaquin River outside of the SOI to the northeast. The abundance of alfalfa crops and pasturelands along the Newman Wasteway contributes to their importance as foraging habitat for nesting pairs along the San Joaquin River. There remains a possibility that mature trees within the SOI could be used as nesting locations by Swainson's hawk in the future.
- ◆ **San Joaquin kit fox.** San Joaquin kit fox is State-listed as threatened and federally-listed as endangered. Several occurrences of this species have been reported from the open grasslands west of the SOI, generally west of I-5. The potential range of kit fox mapped by the USFWS extends eastward to just west of the SOI. However, there remains a potential for kit fox to use the remaining grasslands along the banks of the Newman Wasteway and possibly along other canals. This species has been observed at San Luis and Kesterson National Wildlife Refuges and in the southeast portion of Bennet Valley, just south of Sullivan Road.
- ◆ **Burrowing owl.** Burrowing owl has no legal protective status under the Endangered Species Acts, but is considered a Species of Special Concern by the CFDG and is protected under the federal Migratory Bird Treaty Act. Suitable foraging and nesting habitat occurs throughout the SOI, although no occurrences have been reported by the CNDDDB.
- ◆ **Valley elderberry longhorn beetle.** Valley elderberry longhorn beetle (VELB) is a federally-listed threatened species. Elderberry shrubs are the larval host plant of VELB, which is known from the Central Valley from Redding south to Bakersfield, and from the western foothills of the Sierra Nevada to the eastern foothills of the coast range. Use of elderberry plants by VELB, a wood borer, is rarely apparent. Frequently, the only exterior evidence of the beetle's presence is an exit hole created by the larva just prior to the pupal stage. The USFWS considered any stand of elderberry to be potentially suitable habitat for the beetle, and generally

requires that existing plants be protected. In instances where avoidance is not possible, an incidental take permit is issued following preparation of a detailed mitigation plan which provides for salvaging, transplanting, and restoring replacement habitat for the beetle at defined ratios.

C. Standards of Significance

The proposed General Plan would result in a significant impact on biological resources if it would:

- ◆ Have a substantial adverse effect, either directly or through habitat modifications, on a plant or animal population, or essential habitat, defined as a candidate, sensitive, or special-status species.
- ◆ Have a substantial adverse effect on any riparian habitat or other sensitive natural community type, such as native grasslands.
- ◆ Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act, through direct removal, filling, hydrological interruption, or other means.
- ◆ Have a substantial interference with the movement of any native resident or migratory fish or wildlife species, their wildlife corridors, or nursery sites.
- ◆ Conflict with any local ordinances or policies protecting biological resources.
- ◆ Conflict with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or State habitat conservation plan.

D. Impact Discussion

The following section discusses the potential changes that may result with adoption and implementation of the proposed General Plan, as well an analy-

sis of whether these changes would result in significant environmental impacts. Within the Newman SOI, there are approximately 900 acres of agricultural and vacant lands that would be annexed into city limits and potentially developed for urban uses.

1. Project Impacts

a. Disturbance to Common and Non-Native Species

Implementation of the proposed General Plan would remove agricultural crops and common plants associated with the ruderal grasslands, most of which are non-native species. Loss of ruderal and non-native grasslands would occur from direct (i.e. removal, ground disturbance, etc.) and indirect (i.e. human intrusion) actions associated with the development of the SOI. Because the grasslands are dominated by non-native species, disturbance outside of areas containing possible jurisdictional wetlands or essential habitat for special-status species would be *less than significant*.

The existing urban, agricultural and ruderal grassland habitat within the Newman city limits and the SOI provide breeding, foraging, and shelter for a variety of common wildlife species, including such species as American crow, scrub jay and various songbirds. Common wildlife species such as these are abundant throughout California and therefore are not afforded protection from federal, State or local resource agencies.

Trees in the SOI provide foraging opportunities, nesting habitat and shelter for a diversity of wildlife, particularly the few large, mature trees. Very few of the large trees are valley oaks or other native species, but all trees provide foraging, roosting, and possible nesting habitat for numerous species of birds. Loss of trees would result from both direct (i.e. removal) or indirect (i.e. degradation of soils, encroachment, etc.) impacts associated with new development inside the city limits and the SOI. Policy NR-3.10 of the proposed General Plan calls for retention of established native trees in the design of new developments, which would provide for protection of mature oaks. Policy NR-3.2 requires a site-specific survey to identify significant wildlife habitat and vegetation resources for development projects located in or near sensi-

tive habitat areas, which would also provide for protection of important trees. Policies NR-3.5 and 3.6 call for use of native plants in new developments, which would provide for additional native cover in the SOI. These policies would serve to adequately protect existing tree and other important vegetation resources in the SOI, as well as additional plantings as part of new development and public improvements. Potential impacts on tree resources and native vegetation are considered *less than significant*.

b. Sensitive Natural Communities

Sensitive natural communities are generally absent in the Newman area due to the extent of past agricultural conversion and urban development. Remnant riparian scrub and woodland occurs along the San Joaquin River and Orestimba Creek corridors, which are outside the SOI. As a result, development resulting from implementation of the proposed General Plan would *not* result in adverse impacts on sensitive natural communities.

c. Special-Status Species

The potential for occurrence of special-status plant species is greatly reduced in the Newman vicinity due to past and present disturbance from agricultural production and urban development. There are currently no special-status plant species believed to occur in the SOI and as a result, no adverse impacts to special-status species are anticipated from development allowed under the proposed General Plan. However, development associated with implementation of the proposed General Plan could have adverse impacts on a number of special-status animal species if they are present within areas proposed for future development. Policy NR-3.4 would require mitigation for any potential impacts on special-status species, based on a policy of no-net-loss of habitat value.

Special-status species of particular concern in the Newman vicinity include: Swainson's hawk, burrowing owl, other raptors, and possibly VELB. The following provides a summary of potential impacts on these special-status species.

i. Valley Elderberry Longhorn Beetle

Elderberry shrubs constitute suitable habitat for the VELB. Although there were no elderberry shrubs observed during the field reconnaissance survey, elderberry shrubs may occur in the SOI, but went undetected on private lands, or could become established in the future. For this reason, and because the VELB is protected under the Federal Endangered Species Act (FESA), the City has included policy in the General Plan to reduce this potential impact to a *less-than-significant* level. Under Policy NR-3.8, the City would require new development to properly identify elderberry shrubs on site, to avoid all suitable habitat for VELB and to provide adequate mitigation where development is proposed within 100 feet of elderberry shrubs. This policy would provide for adequate avoidance or mitigation on suitable VELB habitat, and no additional mitigation is considered necessary.

ii. Swainson's Hawk

Swainson's Hawk is a State-listed, threatened species that is known to occur along the San Joaquin River corridor. This species could potentially nest in mature trees including large valley oak, black walnut, and cottonwood trees within the northeast section of the Planning Area, approximately 1 mile from the SOI considered by the proposed General Plan. Additionally, the fallow agricultural fields, farmed croplands, and annual grassland habitats provide potential foraging habitat for this species. The CDFG typically considers the conversion of suitable foraging habitat within 10 miles of a known nesting location to be a possible take of essential habitat. Disturbances to nesting Swainson's hawks and removal of potential foraging habitat would be a potentially significant impact without mitigation.

Habitat loss is the most significant threat to the remaining populations of Swainson's hawk, as agricultural practices change or agricultural lands are converted to urban uses and nest trees are destroyed. In the absence of adequate mitigation, the CDFG may consider the loss of potential foraging habitat within the study area to constitute "take" under Section 2081 of the California Endangered Species Act. Proposed development could eliminate the remaining potentially suitable Swainson's hawk foraging habitat in the Plan-

ning Area, which would most likely be considered a significant loss to the CDFG.

In accordance with the *Draft Mitigation Guidelines for Swainson's Hawk in the Central Valley of California*, the City has included policies in the proposed General Plan to help mitigate this potentially significant impact. This policy works to initiate cooperation with other jurisdictions to develop a regional *Habitat Management Plan* and to provide guidelines and standards to mitigate impacts on special-status species such as Swainson's hawk. Policy NR-3.9 would require new development to avoid active nests for special-status bird species. Policy NR-3.1 would require new development to meet all federal, State and regional regulations for habitat and species protection, which would include Swainson's hawk. With these policies in place, the impact would be *less than significant*.

iii. Burrowing Owl

The annual grassland habitats and margins of undisturbed fallow agricultural fields provide suitable locations which may support nesting or resident burrowing owls. If occupied burrows or other nesting locations are located within the limits of construction as allowed by the proposed General Plan, activities such as grading, grubbing, and excavation could result in the removal of occupied burrows during both the breeding and wintering seasons, and could result in the loss of individual owls, including or independent of young or eggs. Burrowing owl nests are protected under the provisions of the Migratory Bird Treaty Act and the CDFG Code 3503.5. Burrowing owls are known throughout the San Joaquin Valley, suitable habitat is present, and there is a potential for this species to establish nests in the future before construction proceeds. The potential to disturb nesting or resident burrowing owls would be mitigated by Policy NR-3.2 of the proposed General Plan which would require site-specific surveys to identify significant wildlife habitat and vegetation resources for development projects located in or near sensitive habitats. In addition, Policy NR-3.9 would require new development to avoid active nests for special-status bird species, including ground nesting burrowing owl. Thus the impact would be *less than significant*.

iv. Nesting Raptors and Other Migratory Birds

Habitat within the SOI may support nesting by other raptors and migratory bird species such as barn owl, Cooper's hawk, loggerhead shrike, red-tail hawk, and white-tail kite. The mature trees provide suitable nesting habitat for raptors and other migratory birds, the annual grassland, orchards and other agricultural lands including croplands and fallow fields provide foraging opportunities of varying quality. Raptors and migratory birds are considered special-status species by federal and/or State resource agencies, and the disruption and destruction of active nests constitutes a violation of the Migratory Bird Treaty Act and CDFG Code 3503.5. As allowed by the proposed General Plan, construction of new development within the SOI could lead to disruption or destruction of such nests if construction occurs during the nesting season (March through August) and there are birds nesting on an individual project site or in the vicinity of proposed construction. Given the possibility that new nests could be established in the future before construction is initiated, this impact is considered potentially significant, and would require a pre-construction survey and appropriate mitigation if nests are encountered. Policy NR-3.9 would require new development to avoid active nests for special-status bird species. This policy would reduce the impact to a *less-than-significant* level.

d. Fill of Potential Waters of the United States

Proposed urban uses in the planning area do not appear to affect any potential jurisdictional wetlands and other waters based on the NWI mapping and features observed during the field reconnaissance survey. However, there is a possibility that seasonal wetlands or other waters may occur on vacant or agricultural parcels and could not be detected without further detailed study as part of a wetland delineation. A determination on whether the various ditches and drainages in the planning area are considered by the Corps to be regulated waters would also be necessary prior to any culverting or filling. If any jurisdictional wetlands or waters are present, future development could result in unauthorized fill and loss. For this reason, impacts to jurisdictional waters/wetlands would be considered potentially significant. Policy NR-

3.11, however, would mitigate this impact by requiring that new development ensure that any jurisdictional waters are avoided to the maximum extent practicable, any required authorization is obtained from jurisdictional agencies, and adequate mitigation is provided for unavoidable impacts.

e. Conflict with Local Ordinances and Policies

No local ordinances have been adopted regarding protection of trees or other biological resources. The proposed General Plan includes new policies that would serve to protect sensitive resources, and *no adverse impacts* or inconsistencies are anticipated.

f. Conflict with Adopted Habitat Conservation Plan

No Habitat Conservation Plans have been adopted encompassing the Newman planning area, and *no conflicts* would therefore occur as a result of implementing the proposed General Plan.

2. Cumulative Impacts

Development associated with implementation of the proposed General Plan would contribute to the ongoing loss of natural lands in the county, which currently provides habitat for common species, and potentially for a number of special-status species. New development under the proposed General Plan and elsewhere in the region would result in the conversion of existing natural habitat to urban and suburban uses. Despite the proposed General Plan's extensive policies and actions that would minimize effects of development on biological resources, implementation of the Plan would nonetheless contribute to a more general reduction in habitat values for existing resident and migratory species. The cumulative loss of habitat for common and possible special-status species would contribute to a general decline for the region, and result in the loss or displacement of wildlife that would have to compete for suitable habitats with existing adjacent populations. As a result, the proposed General Plan would contribute to a *significant and unavoidable* cumulative impact associated with biological resources.

E. Impacts and Mitigation Measures

Impact BIO-1: While the proposed General Plan would reduce its project level impact to biological resources to a less-than-significant impact, it would still contribute to a *significant and unavoidable cumulative impact* associated with the loss of habitat for common and possible special-status species and the loss or displacement of wildlife that would have to compete for suitable habitats with existing adjacent populations.

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GENERAL PLAN PUBLIC REVIEW DRAFT EIR
BIOLOGICAL RESOURCES

4.5 CULTURAL RESOURCES

This section summarizes information on the cultural resources in Newman and provides an evaluation of the effects that the proposed General Plan would have on these sensitive resources. The “study area,” as defined in this section, refers to the Newman General Plan Land Use Diagram map showing an expanded Planning Area boundary and SOI provided by the City of Newman to the cultural resources consultants, Tremaine & Associates, Inc., who prepared this section.

A. Regulatory Framework

There are several federal and State laws and regulations applicable to historical and architecturally-significant resources, as well as archaeological and paleontological resources. The key regulations are discussed briefly below.

1. National Historic Preservation Act

The National Historic Preservation Act of 1966 (NHPA) is the most influential federal law dealing with historic preservation. In addition, Congress has enacted numerous other statutes that affect historic properties. One of the most important provisions of the NHPA is the establishment of the National Register of Historic Places (NRHP), the official designation of historical resources. Districts, sites, buildings, structures and objects are eligible for listing in the Register. Nominations are listed if they are significant in American history, architecture, archeology, engineering and culture. The NRHP is administered by the National Park Service. To be eligible, a property must be significant under criterion A (history), B (persons), or C (design/construction); possess integrity; and ordinarily be 50 years of age or more.

Listing in the NRHP does not entail specific protection or assistance for a property, but it does guarantee recognition in the planning for federal or federally-assisted projects (see Section 106), eligibility for federal tax benefits, and qualification for federal historic preservation assistance. The NRHP is influential beyond its statutory role because it achieves uniform standards of documentation and evaluation. Additionally, project effects on properties listed in

the NRHP must be evaluated under CEQA. According to a search of the National Park Service's on-line NRHP database, there are no listed National Register properties in Newman.¹

2. California Register of Historic Resources

The California Register of Historical Resources establishes a list of those properties which are to be protected from substantial adverse change (Public Resources Code Section 5024.1). A historical resource may be listed in the California Register if it meets any of the following criteria:

- ◆ It is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- ◆ It is associated with the lives of persons important in California's past.
- ◆ It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic value.
- ◆ It has yielded or is likely to yield information important in prehistory or history.

The Register includes properties that are listed or have been formally determined to be eligible for listing in the NRHP, State Historical Landmarks and eligible Points of Historical Interest. Other resources require nomination for inclusion in the Register. These may include resources contributing to the significance of a local historic district, individual historical resources, historical resources identified in historic resource surveys conducted in accordance with State Historic Preservation Office (SHPO) procedures, historic resources or districts designated under a local ordinance consistent with Commission procedures, and local landmarks or historic properties designated under local ordinance.²

¹ National Park Service, National Register of Historic Places, <http://www.nr.nps.gov/> accessed on May 10, 2005.

² http://ceres.ca.gov/topic/env_law/ceqa/more/tas/page2.html, accessed June, 28, 2005.

3. Public Resources Code, Section 5097

Public Resources Code, Section 5097 specifies the procedures to be followed in the event of the unexpected discovery of human remains on nonfederal land. The disposition of Native American burial falls within the jurisdiction of the California Native American Heritage Commission (NAHC). Section 5097.5 of the Code states the following:

No person shall knowingly and willfully excavate upon, or remove, destroy, injure or deface any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands. Violation of this section is a misdemeanor.

As used in this section, “public lands” means lands owned by, or under the jurisdiction of, the State or any city, county, district, authority or public corporation, or any agency thereof. Consequently, Newman is required to comply with Public Resource Code Section 5097.5 for its activities on publicly-owned land.³

4. Health and Safety Code, Section 7052 and 7050.5

Section 7052 of the Health and Safety Code states that the disturbance of Native American cemeteries is a felony. Section 7050.5 requires that construction or excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If determined to be Native American, the coroner must contact the NAHC.⁴

The California Native American Historical, Cultural and Sacred Sites Act applies to both State and private lands. The Act requires that upon discovery

³ <http://www.dot.ca.gov/ser/vol1/sec3/physical/Ch08Paleo/chap08paleo.htm#statelaws>, accessed June 28, 2005.

⁴ <http://ceres.ca.gov/nahc/statepres.html>, accessed June, 28, 2005.

of human remains, that construction or excavation activity cease and that the county coroner be notified. If the remains are of a Native American, the coroner must notify the NAHC. The NAHC then notifies those persons mostly likely to be descended from the Native American remains. The Act stipulates the procedures the descendants may follow for treating or disposing of the remains and associated grave goods.⁵

5. California State Senate Bill 18 (SB18)

California State Senate Bill 18 (SB18), signed into law in September 2004 and implemented March 1, 2005, requires cities and counties to notify and consult with California Native American Tribes about proposed local land use planning decisions for the purpose of protecting Traditional Tribal Cultural Places (also referred to as Traditional Cultural Properties). The Governor's Office of Planning and Research was mandated to amend its General Plan Guidelines to include the stipulations of SB 18 and to add advice for consulting with California Native American Tribes. According to the Tribal Consultation Guidelines, SB 18 "requires local governments to involve California Native Americans in early stages of land use planning, extends to both public and private lands, and includes both federally recognized and non-federally recognized tribes" (Governor's Office of Planning and Research 2005).

6. Local Regulations and Policies

The City of Newman has an H-C Historical/Cultural Resource District within its zoning code. As stated in the zoning code, the purpose of this historic district is to:

- ◆ "Preserve and protect the historic character of Newman and its historically significant structures, neighborhoods sites and artifacts."⁶
- ◆ "Promote and facilitate the restoration and rehabilitation of historically significant structures, neighborhoods and sites."⁷

⁵ <http://www.arrowheads.com/burials.htm#CALIFORNIA>, accessed June, 28, 2005.

⁶ City of Newman, 2004, Title 5 Zoning Code, Section 5.13.010.

⁷ City of Newman, 2004, Title 5 Zoning Code, Section 5.13.010.

- ◆ “Assure that buildings and buildings groups located in proximity to historically significant buildings are protected from non-compatible construction or reconstruction.”⁸

This zoning district is an overlay district that supplements and is used in conjunction with the underlying district.⁹ This district is applied to the downtown portion of Newman. This area contains the majority of the historic structures within the City of Newman that could be affected by new construction or development.

B. Existing Conditions

Cultural resources encompass archeological, traditional, and built environment resources, including but not necessarily limited to buildings, structures, objects, districts and sites. Qualified cultural resources professionals, consulting with their peers, Native Americans, subject matter experts, or review authorities as necessary, conduct studies of those cultural resources that could have potential to possess significance and that could be affected by projects within the proposed Sphere of Influence for Newman.¹⁰

It is helpful to understand that not every feature that might be considered a cultural resource requires study. Certain properties as a type are minor, fragmentary, or ubiquitous features that lack potential for significance and are exempt from evaluation. Additional properties with limited potential may be determined exempt upon review by appropriately qualified cultural resources staff. At the same time, however, it is essential to be aware that not all potentially significant cultural resources are visible or apparent prior to conducting technical studies or consultations. Archeological resources may be buried, without surface features, or inconspicuous to the untrained eye. Sites of im-

⁸ City of Newman, 2004, Title 5 Zoning Code, Section 5.13.010.

⁹ City of Newman, 2004, Title 5 Zoning Code, Section 5.13.020.

¹⁰ Taken from <http://www.dot.ca.gov/ser/vol1/sec3/cultural/ch28arch/chap28.htm#definition>.

portant events, traditional cultural places, or places associated with an important person may lack obvious physical characteristics. Minor or ordinary features such as fences, ditches, or tree rows may require study when they could constitute part of a larger significant property, such as a potential historic district or landscape. Historic roads and railroads may also have potential for significance, and some will require study.

1. Archeological Resources

A records search was conducted by the Central Center of the California Historical Resources Inventory (CCIC) to identify any known or previously recorded cultural resources within a one-mile radius of the Planning Area boundary (CCIC File No. 5730MN). The search identified two prehistoric sites, CA-MER-215 (P-24-000305) and CA-MER-86 (P-24-186). These sparse findings are based on 12 archeological surveys conducted within the Planning Area boundary.

The CA-MER-215, the Wolfsen Mound, is an occupation site, located just outside the Newman city limits and SOI, but within the expanded Planning Area. It is situated on a high terrace above a slough, emanating from the San Joaquin River and was perhaps at one time the original river channel.¹¹ The site is characterized as a habitation site based on the presence of numerous house pits and human burials. An aggressive data recovery investigation was conducted in 1977 to mitigate the “near-total” destruction of the site by an impending construction project (i.e. a sewage system upgrade for the City of Newman). The investigation resulted in the recovery of ground and pecked stone implements, shell beads and ornaments, bone and antler tools and about three dozen projectile points providing a date range of several thousand years. During investigations, an extension of the site referred to as the W.R. Sherman area, was discovered approximately 1,000 meters to the west. It was found to be a “minimal use zone” considered a possible for resource extrac-

¹¹ Peak, A.S., and T.F. Weber, 1978, *Archaeological Investigations at the Wolfsen Mound*, CA-Mer-215, Merced County, CA, report prepared for the City of Newman, Ann S. Peak & Associates: Sacramento, CA, page 19.

tion locale.¹² Although this site (and extension) has been significantly impacted, there is a possibility that some portion remains intact and should be taken into consideration during land use planning. A second, CA-MER-86 (P-24-186), is a small occupation or campsite east of the San Joaquin River in Merced County.

Areas adjacent to waterways in Newman are sensitive for archaeological resources. Numerous drainages and creeks are within the study area as well as small historic lakes, ponds, and wetlands; none have been archaeologically surveyed. The prehistoric Wolfsen Mound was adjacent to a slough and was within the study area. It is quite reasonable to expect that smaller prehistoric sites, like the W.R. Sherman area, may be found within the SOI that were used temporarily as resource extraction sites for seed collecting and hunting. Seed collecting sites are not necessarily near water, but in areas where targeted seeds are in abundance. For instance, Orestimba Creek, while outside the Planning Area boundary, is in close proximity. According to the CCIC, the “Orestimba Indian Camp” is nearby. Given this fragmented evidence for known prehistoric sites within the region, it is not unlikely that more will be discovered during additional survey.

Historical sites (remnants below ground rather than standing structures/features) are most probable in the historic Hills Ferry vicinity and Dutch Corner vicinity. Hills Ferry, now a ghost town at the eastern edge of Newman, outside of the Planning Area and SOI, was established in 1850. It was generally known as the “hardest place in the state.” The place became noted for its tough characters, its stories of robberies, ruffianism, and crime. Mexican horse thieves and white outlaws found it the most convenient crossing place to their rendezvous in the mountains, using it after their raids among the settlers. Dutch Corner, in contrast, was a small settlement established in 1873 by Ernest Voight (Dutchman) and H. Weitman. It featured a race track catering to the local sporting element.

¹² Peak, A.S., and T.F. Weber, 1978, *Archaeological Investigations at the Wolfsen Mound*, CA-Mer-215, Merced County, CA, report prepared for the City of Newman, Ann S. Peak & Associates: Sacramento, CA, page 1.

Hills Ferry should potentially be considered an historic district. By 1880 this town was comprised of about 20 residences, 19 Chinese houses, two large warehouses operated by Simon Newman and the Kahn brothers, two hotels (run by John P. Allen and the Russ family), one restaurant, seven saloons (kept by Abe J. Barnes, Pliny F. Fish, Pat Manning, Jake Rech, William Wilson) two blacksmiths (one- John Harris), a wagon shop, three livery stables, two druggists and physicians (J.A. Anderson & Charles F. Miller), two justices of the peace, a watch maker, a constable (William J. Spicer), a lumber yard (owned by Charles P. Harris), two barbers, a photographer, a shoemaker, two notary publics, an attorney, three merchants (John C. Gambling, Simon Newman, and Kahn brothers), two butcher shops (Herman George Widman & Ernest Voight), tinsmiths (John C. Green & John H. Barker), carpenters (John de Hart & Pater Townsend), and 2 stage lines. There were also three fraternities (two being the Ancient Order of United Workmen and West Side Lodge of the Knights of Honor), and the “Oasis” (a pleasure palace of 2-3 dozen female companions). Notably, there was no church. During the great flood of 1861-2, a steamboat ran through the back wall of the Russ Hotel. With the exception of a few standing structures, this town has essentially disappeared but for what lies beneath the ground.

2. Historical Resources

The City of Newman contains a significant number of historic homes and structures that contribute to the unique character of the community and give the city a strong sense of place. In 1984, an inventory was conducted of buildings in the city built before 1942. This inventory recorded over 200 historic homes. None was listed on the National Register and the inventory was not included in the State Historic Resources Inventory. However, twelve of the properties appeared eligible for individual listing on the National Register. The inventory concluded that an additional 29 properties may also become eligible for separate National Register listing when the property becomes old enough to meet the Register’s 50-year requirement or when more historical or architectural research is performed. It is likely that a more detailed survey today would find a number of structures eligible for consideration on local,

State or national registers. The old commercial downtown was not included in the 1984 historic survey.

Two structures in the old commercial downtown core that are potentially historic resources are the West Side Theater and the Carnegie Library. Newman's 1920 red brick Carnegie library building at the northwest corner of Main and Kern streets now houses the Newman Museum. The museum documents the history and settlement of Newman and the surrounding area and is believed to be one of the first museums in Stanislaus County covering the history of the area's early pioneers. First opened in the library basement in 1941, the museum now occupies the entire building.

The West Side Theatre, Newman's classic old movie palace, is located in downtown Newman on Main Street, between Tulare and Fresno Streets, a block off Highway 33. Built in 1940, the restored theater re-opened in 2000 as a modern performance venue drawing a regional audience to live music performances, plays and other cultural events and exhibits. The theater anchors the historic downtown business district.

In addition to historic resources within the city limits of Newman, there are known and potential historic resources adjacent to the city. The CCIC search identified two historic structures outside the city but within the SOI: a portion of the Main Canal in Stanislaus County (P-50-000065), and an 85-year old home at 1413 Orestimba Road (P-50-001865). One other unrecorded historic feature within the SOI is a portion of the Southern Pacific West Side line. Another unrecorded feature that is located outside of the SOI but within the Planning Area, is the San Joaquin Cemetery. This Cemetery is located at the southwest intersection of Stuhr and Draper Roads, and likely dates back to the early 1890s. Nothing has been recorded about the history of this cemetery other than its placement on historic and modern topographic maps. Further investigation of the site would likely provide significant information about the early settlers of the area.

A comparison of current topographic maps with a 1917 map of the Planning Area revealed several rural structures that appear to have been in existence since at least 1917. These structures might be eligible for listing on the California Register and the National Register of Historic Places. In addition, a General Land Office plat map of the Newman area from 1862 shows a road that heads south from Hills Ferry for about 3,250 feet and splits into two roads, which are not on the 1917 or modern topographic maps. Portions of these old dirt roads might remain intact in areas that have not been impacted by intensive agriculture.

3. Paleontological Resources

According to the University of California Berkeley database of paleontological resources, the majority of the known fossil resources in Stanislaus County are located in the east foothills, the west hills and in and around the City of Modesto. The vertebrate fossils found closest to Newman were located east of Gustine and southeast of Patterson, both in the vicinity of Interstate 5. The fossils located near Patterson are from the Tertiary Period and the Miocene Epoch and the fossils located near Gustine are from the Cretaceous Period and the Late Cretaceous Epoch. The closest invertebrate fossils were located within the City of Gustine. These fossils date from the Tertiary Period and the Oligocene Epoch.

C. Standards of Significance

The proposed General Plan would have a significant impact with regard to cultural resources if it would:

- ◆ Cause a substantial adverse change in the significance of a historical resource.
- ◆ Cause a substantial adverse change in the significance of an archaeological resource.
- ◆ Disturb any human remains, including those interred outside of formal cemeteries.

- ◆ Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature.

D. Impact Discussion

The following section discusses the potential changes that may result with adoption and implementation of the proposed General Plan, as well an analysis of whether these changes would result in significant environmental impacts.

1. Project Impacts

a. Historical Resources

The City of Newman contains numerous buildings that are over 45 years of age and may be historically significant. Although some of these buildings were identified in a historic survey in 1984, not all of the potentially significant buildings in the city were included in that survey and other buildings may have become eligible for listing in the intervening period since the survey was completed. Although the majority of new development under the proposed General Plan would take place on land without existing structures, redevelopment within the historic downtown or in-fill development in older residential areas could result in the demolition, destruction, relocation or alteration of buildings that are historically significant and eligible for listing on the California Register of Historical Resources. In addition, there are a number of rural buildings that are located outside the city, but within the SOI, that may be subjected to substantial adverse change as a result of new development allowed by the proposed General Plan.

The proposed General Plan includes policies to protect historical resources that would be impacted by development. Policies RC-5.1 through RC-5.10 direct the City to identify and protect the city's historical resources. Actions RC-5.1 through RC-5.7 outline specific actions that would implement these policies.

Action RC-5.1 directs the City to update the 1984 survey to identify historically significant buildings and historic districts. Action RC-5.2 directs the City to explore with property owners the establishment of historic districts in those areas that meet the State and federal criteria for historic district listing.

To protect cultural resources in advance of these determinations, Policy RC-5.1 provides that the City identify historic resources that may be affected by proposed development projects and other landscape altering activities. Policy RC-5.6 provides that additions to historic buildings shall be compatible in design, materials, and details with the historic building and that character defining features of historic buildings be preserved where feasible. Policy RC-5.3 provides that new development near designated historic landmark structures or sites, or within or adjacent to designated historic districts, be designed to be compatible with the historic character of the designated historic resources and/or districts. Policy RC-5.10 provides that prior to project approval, the developer shall provide an assessment by a qualified professional as to the presence of historical resources, potential for adverse effects, and appropriate mitigation. This policy would apply to all projects subject to CEQA, NEPA, and to ministerial projects with the potential to affect buildings that are 45 years old or older. Policy RC-3.2 provides that the City would continue to support the West Side Theater.

In addition to the proposed General Plan Policies, the City of Newman's zoning code contains an H-C Historical/Cultural Resource District. This District contains regulations that are intended to preserve historic structures within the City of Newman by requiring design review by an Architectural Design Review Committee of all alterations, modifications or construction that affects structures within the Historical/Cultural Resource District.¹³

Implementation of these policies included in the proposed General Plan and application of the H-C Historic/Cultural Resource District would ensure full

¹³ City of Newman, 2004, Title 5 Zoning Code, Section 5.13.020.

analysis of any impacts that could cause substantial adverse change in the significance of a historical resource and would ensure that impacts to historical resources would be reduced to a *less-than-significant* level.

b. Archeological and Paleontological Resources

Development allowed under the proposed General Plan would also involve construction activities that could result in the disturbance of undiscovered archaeological and paleontological resources during grading or other on-site excavation activities. As a safeguard, proposed General Plan Policies RC-7.1, RC-7.2, RC-7.3, and RC-7.4 apply to archaeological resources. This policy extends to the discovery of human remains as well, and would also mitigate any adverse changes to the significance of these resources. Additionally, if human remains are discovered during construction, all construction and excavation activity would cease, pursuant to Section 7050.5 of California's Health and Safety Code. If the remains are of a Native American, the coroner would notify the NAHC within 24 hours, which in turn would inform a most likely descendent pursuant to Section 5097.98 of the State Resources Code.

As a safeguard to paleontological, as well as archaeological resources, the General Plan also contains Policy RC-5.10 which requires that developers provide an assessment of historical, archaeological and paleontological resources on or adjacent to a project site. As a result, implementation of the proposed General Plan *would not result in significant impacts* to cultural resources.

2. Cumulative Impacts

While grading and other construction activities have the potential to impact cultural resources in Newman and the SOI, proposed General Plan policies and compliance with federal and State regulations reduce the project-specific impact to a *less-than-significant* level. Regional development throughout the County could also affect cultural resources located in other part of Stanislaus and Merced counties. However, development in these areas would also be subject to federal and State laws protecting cultural resources. As a result, no significant cumulative impact would occur.

E. Impacts and Mitigation Measures

Since the implementation of the proposed General Plan would not result in significant impacts to cultural resources, no mitigation measures are required.

4.6 GEOLOGY AND SOILS

This section describes the regulatory framework and existing conditions related to seismicity, soils and mineral resources in and around Newman, and the potential seismic, soils and mineral resources impacts of the proposed General Plan.

A. *Regulatory Framework*

Important State laws that pertain to seismic hazards and hazardous soil conditions are outlined below, including the Alquist-Priolo Earthquake Fault Zoning Act, the Seismic Hazards Mapping Act and the California Building Code. The mineral resources provisions of the Surface Mining and Reclamation Act are also described.

1. **Alquist-Priolo Earthquake Fault Zoning Act**

The Alquist-Priolo Earthquake Fault Zoning Act¹ was passed in 1972 to mitigate the potential hazard of surface faults to structures for human occupancy. The main purpose of the Act is to prevent the construction of buildings used for human occupancy over active faults. The Act only addresses the hazard of surface fault rupture and is not directed toward other earthquake hazards.

The law requires the State Geologist to establish regulatory zones (known as Earthquake Fault Zones or Alquist-Priolo Zones) around the surface traces of active faults and to issue maps to all affected cities, counties and State agencies for their use in planning and controlling development. Local agencies must regulate most development projects within the zones and there can generally be no construction within 50 feet of an active fault zone.²

¹ Originally entitled the Alquist-Priolo Special Studies Zones Act until its 1993 renaming.

² California Geological Survey, Alquist-Priolo Earthquake Fault Zones, <http://www.consrv.ca.gov/CGS/rghm/ap/>, retrieved August 31, 2006.

The California Geological Survey does not list Newman on its current list of cities affected by Alquist-Priolo Earthquake Fault Zones.³

2. Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act addresses earthquake hazards other than fault rupture, including liquefaction and seismically induced landslides. Seismic hazard zones are to be mapped by the State Geologist to assist local governments in land use planning. The Act states that, “It is necessary to identify and map seismic hazard zones in order for cities and counties to adequately prepare the safety element of their general plans and to encourage land use management policies and regulations to reduce and mitigate those hazards to protect public health and safety.” Section 2697(a) of the Act additionally requires that, “Cities and counties shall require, prior to the approval of a project located in a seismic hazard zone, a geotechnical report defining and delineating any seismic hazard.”⁴ Stanislaus County has not been mapped under the Seismic Hazards Mapping Act yet since the State has targeted higher risk areas, such as the San Francisco Bay Area and the Los Angeles/Riverside areas.⁵ However, as discussed below, Newman has a low risk of seismic hazards.

3. California Building Code

Development in Newman is subject to the California Building Code (CBC), which provides a minimum standard for building design and construction. Codified in Title 24 of the California Code of Regulations, the CBC incorpo-

³ California Geological Survey, Cities and Counties Affected by Alquist-Priolo Earthquake Fault Zones, <http://www.consrv.ca.gov/CGS/rghm/ap/affected.htm>, retrieved August 31, 2006.

⁴ California Public Resources Code, Division 2, Chapter 7.8, Article 7.8, Section 2691(c), <http://www.consrv.ca.gov/cgs/codes/prc/chap-7-8.htm>, retrieved August 31, 2006.

⁵ California Geological Survey, Seismic Hazards Zonation Program, Data Access Page, <http://gmw.consrv.ca.gov/shmp/MapProcessor.asp?ActionSHMP&Location=All&Version=6&Browser=IE&Platform=Win>, retrieved on August 31, 2006.

rates the Uniform Building Code, a widely adopted model building code in the United States. The CBC contains specific requirements for seismic safety, excavation, foundations, retaining walls and site demolition. It also regulates grading activities, including drainage and erosion control.⁶

4. Surface Mining and Reclamation Act

The California Surface Mining and Reclamation Act of 1975 (SMARA) was enacted in response to land use conflicts between urban growth and essential mineral production. SMARA requires the State Geologist to classify land according to the presence or absence of significant mineral deposits. Local governments must consider this information before land with important mineral deposits is committed to land uses incompatible with mining. If necessary, policies on mineral resources management must be incorporated into the general plan.⁷

SMARA provides for the evaluation of an area's mineral resources using a system of Mineral Resource Zone (MRZ) classifications that reflect the known or inferred presence and significance of a given mineral resource.

- ◆ MRZ-1. Areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.
- ◆ MRZ-2. Areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood for their presence exists.
- ◆ MRZ-3. Areas containing mineral deposits, the significance of which cannot be evaluated from available data.

⁶ California Code of Regulations, Title 24 (California Building Standards Code) summary page, http://www.bsc.ca.gov/title_24.html, retrieved August 31, 2006.

⁷ Information about the Surface Mining and Reclamation Act and about mineral resources and Mineral Resource Zone classifications in and around Newman is from Division of Mines and Geology, 1993, *Mineral Land Classification of Stanislaus County, California 1993, Special Report 173*.

- ◆ MRZ-4. Areas where available information is inadequate for assignment into any other MRZ.

Neither the City nor the Counties have designated important mineral resources recovery areas around Newman.

B. Existing Conditions

This section describes regional faults and seismicity, and local soils conditions, that may pose risks to life and property in and around Newman, including surface rupture, ground shaking, liquefaction, landslides, ground failure, erosion and expansion. Important mineral resources are also discussed.

1. Seismic Hazards

Newman is located between two seismically active regions, the Sierra foothills and the Coast Range, and will occasionally experience earthquakes, although the risk to life and property from earthquake hazards is low compared to other locations in California.

Figure 4.6-1 shows earthquake faults in the region and Figure 4.6-2 shows faults in the Newman area. The closest fault to Newman is the San Joaquin Fault, which traverses the southwestern corner of the city's Planning Area, outside the SOI (Figure 4.6-2).

Earthquakes present primary and secondary hazards. Primary hazards include ground rupture and ground shaking. Newman is not within an Alquist-Priolo Earthquake Fault Zone and the risk of ground rupture is low.⁸ However, faults in the region are capable of generating significant earthquakes producing ground shaking in Newman. According to the US Geological

⁸ California Geological Survey, Cities and Counties Affected by Alquist-Priolo Earthquake Fault Zones, <http://www.consrv.ca.gov/CGS/rghm/ap/affected.htm>, retrieved August 31, 2006.

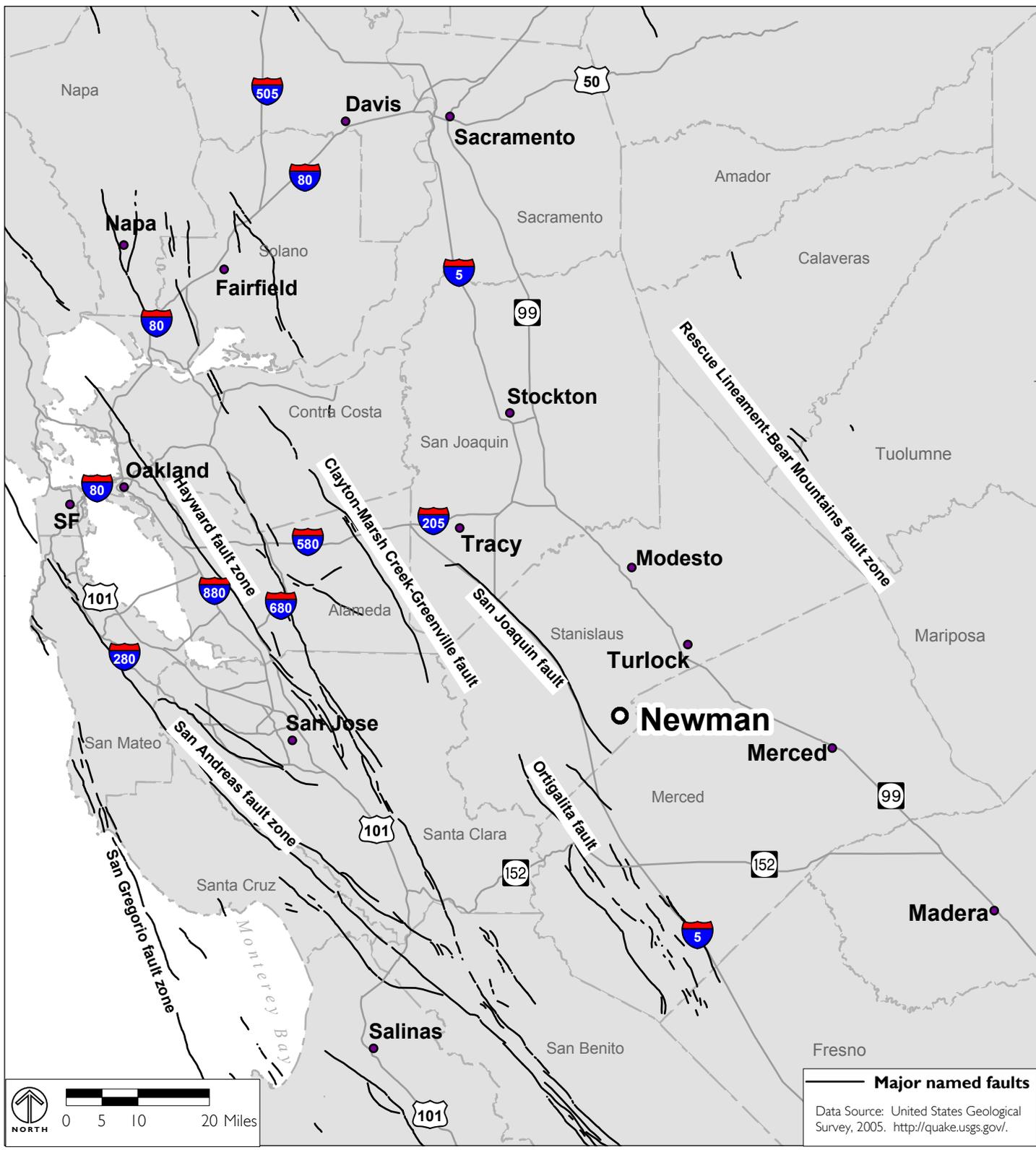


FIGURE 4.6-1

REGIONAL FAULTS

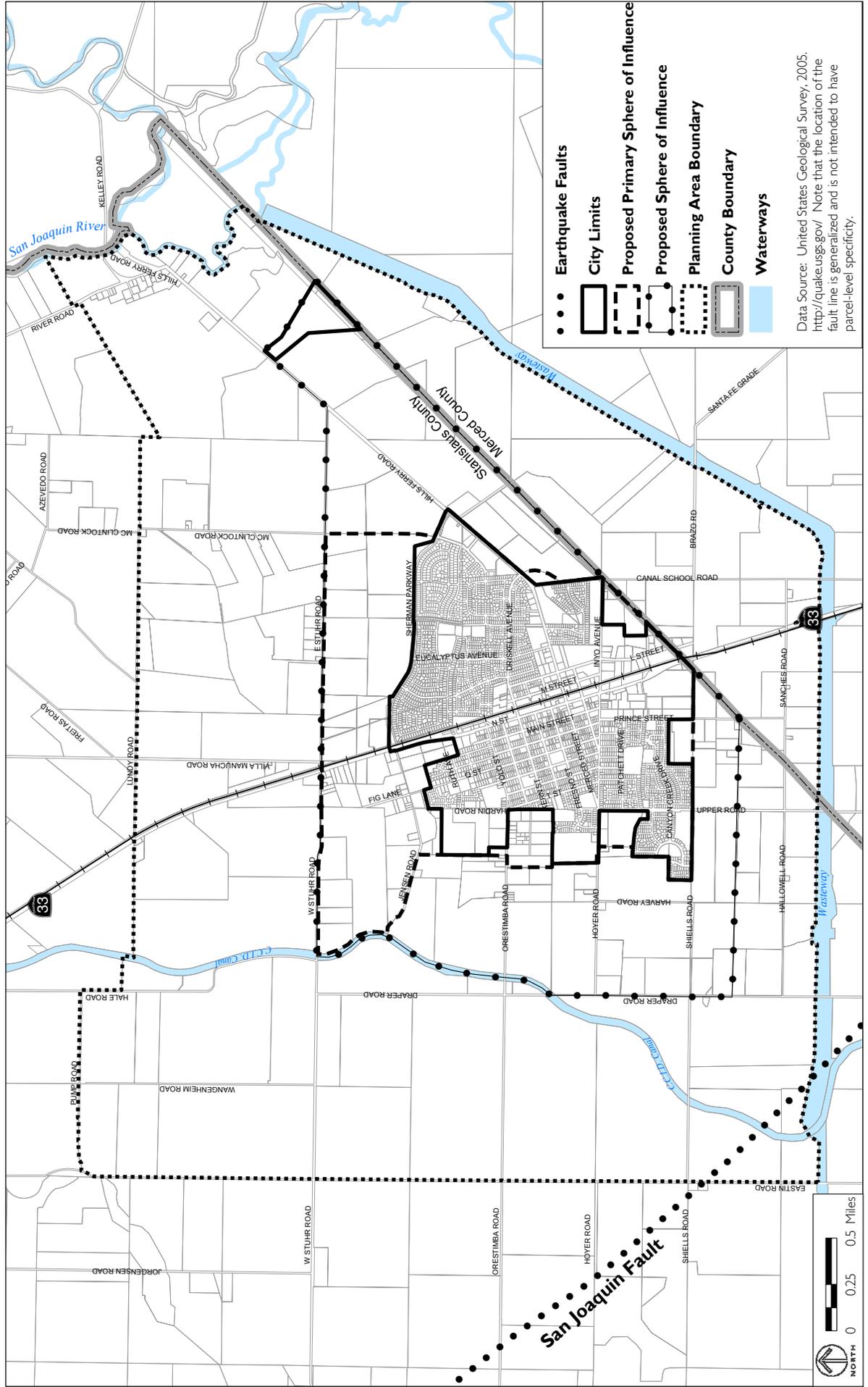


FIGURE 4.6-2

Survey's National Seismic Hazard Mapping Project, ground-shaking seismic hazards in Newman are lower than most of California.⁹ In addition, the California Department of Conservation's 2000 "Epicenters of and Areas Damaged by M>5 California Earthquakes, 1800-1999" map does not show any recorded damage from larger earthquakes in the Newman area.¹⁰

Secondary earthquake-related hazards can include earthquake-induced landslides or mudslides, liquefaction and seiche. Since Newman is flat, the potential for landslides or mudslides is low. Liquefaction is a phenomenon primarily associated with saturated, cohesionless soil layers located close to the ground surface. During liquefaction, soils lose strength and ground failure may occur. The California Department of Conservation has not yet mapped the Newman area to identify the potential for soil liquefaction.¹¹ However, since soils must be saturated to be at risk of liquefaction, the areas in and around Newman most susceptible to liquefaction include areas along the San Joaquin River and where there are high groundwater levels. Seiches are waves caused by earthquakes in bodies of water that can be compared to the back-and-forth sloshing of water in a tub. The risk of seiche is considered very low since there are no significant water bodies in Newman.

Most loss of life and injuries during an earthquake are related to the collapse of buildings and structures. Building codes and engineering requirements are now designed so that new construction will better withstand a major earthquake. Newman requires new development and substantial renovations to comply with current seismic standards and requires geotechnical engineering studies for major new buildings or earth works. Older buildings, especially those constructed of unreinforced masonry, could be subject to severe damage

⁹ US Geological Survey, <http://earthquake.usgs.gov/regional/states/california/hazards.php>, retrieved August 31, 2006.

¹⁰ California Geological Survey, <http://www.consrv.ca.gov/CGS/rghm/quakes/MS49.htm>, retrieved on August 31, 2006.

¹¹ California Geological Survey, <http://gmw.consrv.ca.gov/shmp/MapProcessor.asp?Action=SHMP&Location=All&Version=6&Browser=IE&Platform=Win>, retrieved on August 31, 2006.

in an earthquake. Unreinforced masonry buildings are mostly located downtown.

2. Soils

Geotechnical concerns, such as erosion and expansion, are more common with certain soils types. Identifying local soil types and understanding the associated characteristics helps cities establish appropriate engineering and construction standards for new building and remodeling.

Table 4.6-1 identifies soil types in the proposed SOI and summarizes each soil type's potential for erosion and expansion. The soil types in the SOI are mapped in Figure 4.6-3. Since Newman is flat, there is a limited potential for erosion. The greatest potential for erosion is due to wind. Expansive soils contain higher levels of clay and expand and shrink depending on water content, damaging structures that were not appropriately engineered. As shown in Table 4.6-1, several of the soil types in the proposed SOI have moderate to high expansion potential and could pose a risk to construction.

The City requires new development to connect to the city's municipal wastewater treatment system. Therefore, the capacity of local soils to effectively accommodate septic systems is not an issue.

3. Mineral Resources

Construction aggregate is the only type of important mineral deposits that has the potential to occur within the proposed SOI. Construction aggregate is a resource of great importance to the economy of any urbanizing area. Extensive areas of Stanislaus County, containing several billions of tons of sediments that have weathered from rocks in the Sierra Nevada and Coast Ranges, are classified by the State Geologist as MRZ-3 for aggregate. Some of the best aggregate deposits in the county are found around Newman. These

TABLE 4.6-1 **SOIL TYPES IN THE PROPOSED SOI AND THEIR EROSION AND EXPANSION POTENTIAL**

Soil Series	Erosion Potential	Expansion Potential ^a
Dos Palos-Bolfar Complex	Moderate	Moderate/High
Elsalado	Moderate	Low
Vernalis Clay Loam	Moderate	Moderate
Zacharias	Moderate	Moderate
Vernalis-Zacharias Complex	Moderate	Moderate
Dosamigos	Moderate	Moderate/High
El Solyo	Moderate/High	Moderate/High
Vernalis Loam	Moderate	Low/Moderate
Pedcat	Moderate	Moderate/High

^a Erosion potential was interpreted from soil survey factor K data where Low=0-0.28, Moderate=0.28-0.43 and High=0.43-0.64. Factor K indicates the susceptibility of a soil to sheet and rill erosion by water and is one of six factors used in the Universal Soil Loss Equation (USLE). Values of K range from 0.02 to 0.64. Other factors being equal, the higher the value, the more susceptible the soil is to sheet and rill erosion by water.

Source: Natural Resources Conservation Service, 1996. *Soil Survey of Stanislaus County, CA, Western Part*. <http://www.ca.nrcs.usda.gov/mlra02/wstan/>, retrieved August 31, 2006.

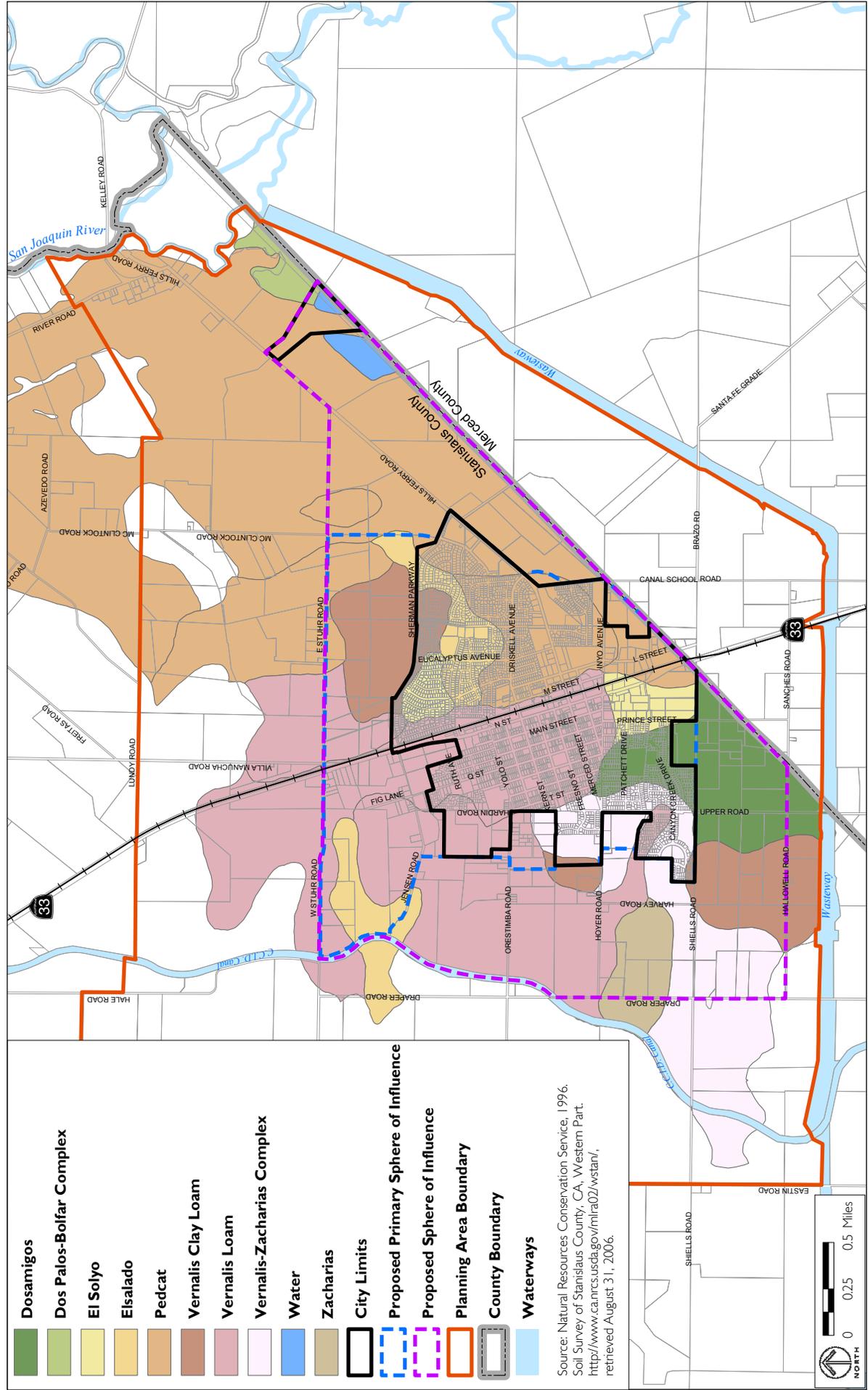


FIGURE 4.6-3

SOIL TYPES

extensive deposits are Coast Range alluvial fan debris and the San Joaquin River channel and its associated flood-basin deposits.¹²

The proposed SOI is within the Orestimba Creek alluvial fan. Concrete-grade aggregate has been mined from Orestimba Creek since the early 1900s. Orestimba Creek is currently being mined near Newman, at Stuhr Road Pit West and Stuhr Road Pit East, located north of Stuhr Road and west of Medlin Road, approximately 1.5 miles outside the proposed SOI. In addition to these active aggregate pits, there are additional areas along Orestimba Creek in the vicinity of the pits designated as Aggregate Resource Areas (i.e., areas that have been classified as MRZ-2 for concrete-grade aggregate and are available for mining).

All of the proposed SOI has been classified as MRZ-3 for aggregate deposits; there are no designated Aggregate Resources Areas or areas classified as MRZ-2 within the proposed SOI. Nonetheless, there is likely to be commercially mineable, high-quality, hard, durable and resistant concrete-grade aggregate within the proposed SOI. Further exploration work within the proposed SOI to confirm an economic quantity and quality of deposits could result in the reclassification of specific localities to MRZ-2.

C. Standards of Significance

The implementation of the proposed General Plan would result in a significant geologic or seismic impact if it would:

- ◆ Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:
 - Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Ge-

¹²All information on mineral resources and designated Mineral Resource Zones and Aggregate Resource Areas is from Division of Mines and Geology, 1993, *Mineral Land Classification of Stanislaus County, California 1993, Special Report 173*.

ologist for the area or based on other substantial evidence of a known fault

- Strong seismic ground shaking
 - Seismic-related ground failure, including liquefaction
 - Landslides, mudslides or other similar hazards
- ◆ Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse
 - ◆ Result in substantial soil erosion or the loss of topsoil
 - ◆ Be located on expansive soil, creating substantial risks to life or property
 - ◆ Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water
 - ◆ Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State
 - ◆ Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan

D. Impact Discussion

The potential seismic, soils and mineral resources impacts of the proposed General Plan are described below.

1. Seismic Hazards

The proposed General Plan would accommodate new development and additional population that could be exposed to seismic hazards. As discussed previously, the risk of ground rupture is low since Newman is not within an Alquist-Priolo Earthquake Fault Zone. Ground-shaking seismic hazards in Newman are lower than most of California but unreinforced masonry buildings could be subject to severe damage in an earthquake. There may be a po-

tential for liquefaction in areas along the San Joaquin River and where groundwater levels are high.

The proposed General Plan includes several policies and actions to minimize seismic hazards. Policies HS-1.3 and HS-1.4 require new construction to conform to the CBC, which includes seismic design and construction requirements, and requires underground utilities be designed to withstand seismic forces. Actions HS-1.1, HS-1.4 and HS-1.5 implement these policies, in part by requiring adoption and enforcement of the most current CBC and seeking to identify and abate hazards associated with unreinforced masonry buildings.

In addition to including policies and actions to ensure development occurs in a safe manner, the proposed General Plan also contains policies and actions to ensure the city's ability to respond effectively to natural emergencies, such as earthquakes, since preparedness is one of the best methods to minimize personal injury and property damage. Policies HS-5.1 through HS-5.4 ensure emergency routes are kept clear and provide for siting of critical emergency response facilities to minimize risks, adequate response times in the design of new neighborhoods, and maintaining mutual aid agreements and effective communications with surrounding jurisdictions. Action HS-5.1 requires maintaining, regularly updating and testing an Emergency Response Plan.

With these policies and actions, hazards to life and property as a result of earthquakes would be reduced. Seismic hazards under the proposed General Plan would be a *less than significant impact*.

2. Soils

As previously discussed, soils in the proposed SOI have moderate erosion potential and moderate to high expansion potential, and could pose a risk to new development under the proposed General Plan. The policies and actions of the proposed General Plan will serve to reduce hazards associated with soil conditions. Proposed General Plan Policies HS-1.1 and HS-1.2 require soils and geotechnical reports for new development. Policy HS-1.4 and Actions HS-1.4 and HS-1.5 require adoption and enforcement of the most current

CBC. With these policies and actions, hazards related to soils under the proposed General Plan would be a *less than significant impact*.

Since the City requires all new development to connect to the municipal wastewater system, there would be *no impact* associated with the capacity of local soils to support septic systems.

3. Mineral Resources

Development in accordance with the proposed General Plan would not directly affect any designated Aggregate Resource Areas or areas classified as MRZ-2 for concrete-grade aggregate, since such areas are well outside the proposed SOI where development would occur. These significant aggregate resources would continue to be available for mining.

Nearly all of the proposed SOI is classified by the State Geologist as MRZ-3, areas containing mineral deposits, the significance of which cannot be evaluated from available data. Development of the SOI under the proposed General Plan would preclude potential future mining by rendering this resource inaccessible or by establishing urban uses incompatible with mining operations. However, known significant economic mineral deposits exist nearby and are currently being mined along Orestimba Creek and the San Joaquin River, and would not be affected by the proposed General Plan. Extensive areas surrounding the proposed SOI contain mineral resources categorized the same as those in the proposed SOI and would remain available for potential mining, should these deposits be determined to be significant in the future. For these reasons, the loss of mineral resources as a result of the proposed General Plan would be a *less than significant impact*.

4. Cumulative Impacts

Development in Stanislaus County and the Central Valley region will continue to expose people and property to seismic hazards and adverse soil conditions. The policies contained in the proposed General Plan, along with compliance with federal, State and local regulations addressing building construction, would reduce the project-level impacts associated with geology and soils

to a less-than-significant level. Development projects in other communities would also be subject to County and State laws and regulations, local general plan policies and planning, building and engineering regulations. Review and permitting of specific development projects, including environmental review in accordance with CEQA, would be expected to involve characterization and consideration of site-specific geologic and soils conditions, and implementation of individual project mitigations where needed. As a result, seismic and soils hazards would be a *less-than-significant cumulative impact*.

Extensive areas of Stanislaus County, including Newman's proposed SOI, are classified by the State Geologist as MRZ-3 for aggregate, i.e., areas containing mineral deposits, the significance of which cannot be evaluated from available data. Development in these areas would preclude potential future mining by rendering this resource inaccessible or by establishing urban uses incompatible with mining operations. Nonetheless, there are also extensive areas of mineral deposits that are known to be significant and economic, including many areas that are actively mined. In addition, the vast majority of the county's potential mineral deposits are expected to remain available for potential mining into the foreseeable future, should site-specific evaluations determine them to be significant and economic. For these reasons, the loss of mineral resources as a result development in the county would be a *less-than-significant cumulative impact*.

E. Impacts and Mitigation Measures

The proposed General Plan would not result in significant impacts related to geology and soils; therefore, no mitigation measures are required.

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4.7 HAZARDS AND HAZARDOUS MATERIALS

This chapter describes the existing environment in the City of Newman in regards to hazards and hazardous materials, and analyzes the potential impacts of the proposed General Plan.

A. Regulatory Framework

This section summarizes regulations and information on hazardous materials within the City of Newman. Various federal, State, County and local agencies oversee hazards and hazardous materials issues in Newman, and have established regulations designed to protect human health and the environment from the effects of hazardous materials. The City of Newman itself does not have direct authority over most hazardous materials issues, but has adopted local policies to assure compliance with hazards and hazardous material regulations and to limit risk presented by the handling of such materials.

1. Federal

Following are the federal agencies which oversee hazards and hazardous materials concerns.

a. Environmental Protection Agency

The United States Environmental Protection Agency's (EPA) laws and regulations ensure the safe production, handling, disposal and transportation of hazardous materials. Laws and regulations established by the EPA are enforced in Newman by the California Environmental Protection Agency (CEPA).

The Superfund Program was established by the EPA in 1980 to locate, investigate and clean up the worst sites contaminated by hazardous waste nationwide. The EPA selects these sites based on the evaluation of factors such as: human health and environmental risk; immediacy of any needed response; projected expenses to the Fund; ability to maintain a strong enforcement program; leverage of other cleanups; and the level of support for listing from the local government and community.

b. US Department of Transportation

The United States Department of Transportation (DOT) regulates transportation of hazardous materials by truck and rail. This department also establishes criteria for safe handling procedures of hazardous materials.

2. State

One of the primary hazardous materials regulatory agencies is the CEPA, which is authorized by the EPA to enforce and implement federal hazardous materials laws and regulations. The following are departments of the CEPA:

- ◆ **Department of Toxic Substances Control (DTSC).** DTSC protects California and Californians from exposures to hazardous waste primarily under the authority of the federal Resource Conservation Recovery Act of 1976 and the California Health and Safety Code. DTSC programs include dealing with aftermath clean-ups of improper hazardous waste management, evaluation of samples taken from sites, enforcement of regulations regarding use, storage and disposal of hazardous materials, and encouragement of pollution prevention.
- ◆ **Department of Pesticide Regulation (DPR).** DPR regulates pesticide sales and use in the State and fosters reduced-risk pest management. The DPR's oversight includes product evaluation and registration, environmental monitoring, residue testing of fresh produce and local use enforcement through the County agricultural commissioners. The DPR provides training, coordination, supervision, and technical and legal support for the County Agricultural Commission.

3. Stanislaus County

Following are the county-level agencies which oversee hazards and hazardous materials in Stanislaus County, and the hazards plans in place in the county.

a. Stanislaus County Agricultural Commission

The Stanislaus County Agricultural Commission is largely responsible for controlling and monitoring pesticide and other agricultural chemical use. Services the Commission offers include the registration of pest control opera-

tors and advisors, the supervision of pesticide dealers, and monitoring of pesticide use by the public through inspections and the issuance of pesticide permits. The Commission is also responsible for local use enforcement of State pesticide laws. Training, coordination, supervision, and technical and legal support for the Commission is provided by the State's DPR.

b. Stanislaus County Hazardous Material Area Plan

Stanislaus County maintains a Hazardous Material Area Plan, in accordance with the California Health and Safety Code (HSC) (Division 20, Chapter 6.95, §25500 et seq.) and the California Code of Regulations (CCR) (Title 19, Article 3, §2270 et seq.). The Plan is updated every five years. It protects human health and the environment through hazardous materials emergency planning, response and agency coordination, and community right-to-know programs. The Plan outlines the roles and responsibilities of federal, State, County and local agencies in responding to hazardous material releases and incidents.

c. Stanislaus County Hazards Mitigation Plan

Stanislaus County has an established plan to reduce the impacts of hazards by preventing injury, loss of life and damage to homes, businesses and neighborhoods. The Stanislaus County Hazards Mitigation Plan was written in March 2005 and identifies threats to public safety and strategies to reduce the dangers presented by earthquakes, landslides, dam failures, floods and wildfire.¹

4. City of Newman

The City of Newman has the following plans in place to address risks involving hazards and hazardous materials.

a. City of Newman Emergency Operations Plan

The City of Newman has its own Emergency Operations Plan (EOP) to establish emergency preparedness procedures and designate evacuation routes to

¹ Stanislaus County Local Hazard Mitigation Plan Risk Assessment. <http://www.scoes.info/pdf/local%20hazard%20mitigation%20plan%203-18-05.pdf>, accessed on August 15, 2006.

respond to a variety of natural and human-created disasters that could confront the community. In the event of an emergency, Newman employees, including those with the Fire, Police and Public Works Departments, will assess the situation and the damage and respond according to the emergency plan. Coordination with other agencies would occur as necessary.

b. Newman Fire Code

The City of Newman has adopted the Uniform Fire Code, with some amendments, as part of its Municipal Code. The amendments reflect the specific conditions in Newman in order to ensure that development occurs in a manner that reduces the threat of urban and wildland fire.

B. Existing Conditions

Both natural conditions and human activities can create risk to individuals and properties within Newman. The following section considers existing hazards in the City of Newman and its Sphere of Influence (SOI), including the potential hazards related to hazards and hazardous materials.

1. Hazardous Materials and Waste

Products as diverse as gasoline, paint solvents, film solvents, household cleaning products, refrigerants and radioactive substances are categorized as hazardous materials. What remains of a hazardous material after use or processing is considered to be a hazardous waste. The handling, transportation and disposal of such materials and wastes are of concern in all communities. Improper handling of hazardous materials or wastes may result in significant effects to human health and the environment. Hazardous materials and waste come from a number of sources in the City of Newman; these are discussed below.

A search of the EPA website determined that there are currently no Superfund sites within Newman and its SOI. The nearest Superfund sites are in the

cities of Modesto, Riverbank and Turlock.³ A search of the DTSC's CalSites database that contains information on properties in California where hazardous substances have been released, or where the potential for a release exists, identified two properties within Newman. The two properties, the Gonzales property and the Stanford/Rose property, are located on the Old Valley Pipeline site on Hill Ferry Road. These sites are actively undergoing voluntary remediation for an unspecified oil that contains a hazardous waste product. Both sites are regulated by the EPA.

Many of the commercial and industrial operations in Newman use hazardous materials and generate hazardous materials as part of their daily operations. Some examples of hazardous material users include gasoline stations, dry cleaners and automotive repair shops. The commercial use of hazardous materials and wastes in Newman are regulated by a range of federal, State, County and local agencies, as discussed above. There are several EPA-regulated facilities identified in the Newman area, including Ed Amaral Transport Inc., Silveria Bros. Construction, Dimare Company, Viking Freight, Patchetts Ford Mercury, Leprino Foods and Simon Newman Company.⁴

A range of other hazardous materials are used within Newman. Inside the SOI and surrounding the city, hazardous materials are used by agricultural operations in the form of pesticides, herbicides and fertilizers. In addition, hazardous materials are used by residential households, including cleaning supplies and paints.

The use and transportation of hazardous materials is of particular concern around schools. To accommodate for new student growth, new classrooms have been constructed at Orestimba High School and old classrooms have

³ Super Fund Information Systems. <http://cfpub.epa.gov/supercpad/cursites/srchrsflt.cfm?start=1&CFID=1298428&CFTOKEN=96424666>, accessed August 15, 2006.

⁴ DTSC: HWTS Reports. http://hwts.dtsc.ca.gov/report_list.cfm, accessed August 14, 2006.

been modernized. These existing schools, which are already within ½ mile of non-industrial hazardous materials users in commercial areas and agricultural uses near Jensen Road, may be further exposed to hazardous materials uses as the city develops. A future elementary school would most likely be located at the new Sherman Ranch subdivision.⁵ This new subdivision will be located at the intersection of Sherman Parkway and Balsam Street, 2 miles away from most existing and proposed industrial or commercial uses.

2. Wildfires

The majority of the SOI is devoted to agriculture. Agriculture decreases the risk of wildland fires because fields and orchards are irrigated regularly, and because fuels are not generally allowed to build up. Therefore the risk of wildland fire in the SOI is low. Areas of brush along the San Joaquin River are a more critical fire hazard, but are at the outer edge of the Planning Area and outside of the SOI. Since Newman is mainly surrounded by agricultural activities and does not abut wildlands, the most common type of fire in the Newman area is urban fire.

3. Urban Fire

The greatest risk of fire in Newman is associated with structural fire in the developed part of the city. Fire hazards are most common in old or substandard buildings from residential, commercial and industrial areas. They can start for a variety of reasons, including electrical shorts, industrial accidents, carelessness or arson.

4. Airports and Airstrips

The closest airport to Newman is the Modesto City-County Airport, located approximately 30 miles north of Newman. Limited regional airline service is provided from this airport. General aviation facilities are also located about 15 miles south in Turlock, and about 15 miles north in Oakdale, although neither airport services scheduled flights. There is a small landing strip within

⁵ Caralyn Mendoza, Newman-Crows Landing Unified School District. Personal communication with Michael Brilliot, DC&E. June 6, 2006.

the SOI near SR-33 and Stuhr Road which used for crop dusting, but this does not constitute a major air facility.

5. Emergency Preparedness

As discussed under the Regulatory Framework, the City has adopted its EOP to ensure that the community is prepared for natural and human-caused disasters.

C. Standards of Significance

The proposed General Plan would have an impact related to hazards or hazardous materials if it would:

- ◆ Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials.
- ◆ Emit hazardous emissions or handle hazardous materials, substances or waste within one-quarter mile of an existing or proposed school.
- ◆ 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.
- ◆ Be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment.
- ◆ 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.
- ◆ For a project 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, result in a safety hazard for people living or working in the project area.
- ◆ For a project within the vicinity of a private airstrip, result in a safety hazard for people living or working in the project area.

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

D. Impact Discussion

This section discusses the potential hazards and hazardous materials impacts associated with adoption and implementation of the proposed General Plan. Implementation of the proposed General Plan would allow for the development of new residential, commercial, office and industrial uses. This could increase the amount of hazardous materials used and waste generated, as well as the number of people and structures exposed to other hazards.

1. Project Impacts

a. Hazardous Waste Transportation, Use and Disposal

The potential increase in development permitted under the proposed General Plan could result in more hazardous materials being used, stored, transported through and discarded within Newman, which would increase the potential risk associated with hazardous materials and waste. To address these issues, the proposed General Plan includes policies and actions that are intended to limit the impact hazardous materials could have on the population and environment.

i. Industrial and Commercial Use

Potential increases in industrial and commercial use of hazardous materials would mainly be controlled by federal, State and County agencies, as discussed above, which would ensure that hazardous material use and transportation are controlled to a safe level. As stated in Policy HS-4.2 of the proposed General Plan, the City would require compliance with federal and State regulations by producers and users of hazardous materials within Newman.

Policy HS-4.1 would also limit negative impacts of hazardous materials by directing hazardous material producers and users away from residential areas within the community. Combined with federal, State, County and local re-

quirements and standards, as well as the policies and actions contained in the proposed General Plan, adoption and implementation of the Plan would have a *less-than-significant* impact related to industrial and commercial use of hazardous materials.

ii. Agricultural Use

Implementation of the proposed General Plan would allow additional residential development on the urban edge of Newman where various agricultural operations use pesticides. This could be hazardous to residents if improperly handled or disposed. While the City does not have any direct authority over the use of pesticides, CEPA DPR and the County Agricultural Commissioner are responsible for controlling and monitoring pesticide use, and agricultural producers are required to comply with County and State regulations.

The policies in the proposed General Plan would help to limit the potential risks of pesticide and fertilizer use. Policy NR-2.4 states that the City shall support efforts at county, regional and State levels to reduce runoff of toxic agricultural chemicals into the area's watercourses and groundwater basin. In addition, urban development would only occur in areas adjacent to existing urban areas, as listed in Policy LU-2.2, which would limit the conflict between agricultural and residential land uses.

To limit the negative affects of pesticides and fertilizers on public health, the City states in Policy HS-4.3 that it would work with the county, State, agribusiness and agricultural worker organizations to promote safety when in contact with these chemicals. These policies and existing State and County enforcement activities would reduce the impact of hazards associated with pesticide use to a *less-than-significant* level.

iii. Household Use

Residential growth that may occur over the lifetime of the proposed General Plan could result in increased use of household hazardous materials. Household use of hazardous materials is generally limited and is not generally con-

sidered a major hazard. However, to facilitate the proper disposal of household hazardous waste within the area, residents will have access to the household hazardous materials drop-off facility provided by Stanislaus County in Modesto and County mobile collection services. Due to the limited amount of hazardous materials that would be generated by individual households, and the availability of proper disposal facilities, the risk of increase household hazardous materials would be *less than significant*.

b. Hazardous Materials Accidents

Due to the increase in population and non-residential land uses that would result from the proposed General Plan, there would be the potential for an increase in the risk of hazardous materials accidents such as spills. Although accidents involving hazardous materials cannot be completely avoided, the threat of accidents is maintained at a *less-than-significant* level by existing federal, State, County and local regulations that direct the production, use, emissions and transportation of hazardous materials. For example, the transport of hazardous materials by truck and rail is regulated by the DOT and the CEPA is responsible for implementing federal hazardous materials laws and regulations. The City's EOP also plans for response to a potential hazardous materials incident, in the event one was to occur.

In the event of such an incident, federal and State agencies are required to aid in the City's response. In accordance with the California Health and Safety Code, The Hazardous Material Area Plan outlines how human health and environmental concerns should be addressed, hazardous materials emergency planning, agency coordination and community right-to-know programs. This Plan is maintained by Stanislaus County and is updated every five years.

In addition, Policy HS-4.1 of the proposed General Plan would limit the location of producers and users of hazardous materials away from residential areas. By following federally- and State-mandated guidelines for the handling of hazardous materials and by diverting such materials away from populated areas, the risk associated with the potential for accidental release of hazardous materials into the environment and community would be *less than significant*.

c. Hazardous Materials Around Schools

The Newman-Crows Landing Unified School District would accommodate new students moving to the area by building new classrooms on existing school properties, which are approximately ½ mile from current non-industrial hazardous waste uses. Under the proposed General Plan, the City would accommodate for new student growth by building new classrooms at Yolo Middle School within the next five years. The only new school facility would be built on the Sherman Ranch subdivision, which is more than 2 miles away from such uses.

An increase of students present at the existing school properties, ½ mile from hazardous waste users, may expose a greater population of students to hazardous wastes. However, all users are subject to federal, State, County and local laws which ensure that hazardous material use, emission and transportation are controlled to a safe level. Furthermore, Policy HS-4.1 would divert hazardous materials producers and users away from residential areas, which are where schools would mainly be located. The combination of federal, State, County and local regulations and proposed General Plan policies and land use patterns would ensure that the risk to schools of hazardous materials or emissions would be *less than significant*.

d. Hazardous Materials Sites

As mentioned previously, there are a few EPA-regulated companies in Newman and its SOI. However, there are no Superfund sites or sites requiring further DTSC action. The two properties that were identified for hazardous waste release are already regulated by the State. They do not pose a significant threat to the community and any future development that would be allowed by the proposed General Plan. As a result, there is a *less-than-significant* impact associated with hazardous materials sites.

e. Wildland Fires

As discussed earlier, Newman is primarily surrounded by agricultural land and danger from wildland fire is considered low. The only limited remaining wildlands located along the San Joaquin River are outside of the SOI and the

Planning Area. While there is a *less than significant* risk of wildfire within Newman and the SOI, Policy HS-3.1 is aimed at minimizing loss of life and property from fires and other public emergencies by requiring necessary water service, fire hydrants and roads consistent with the City of Newman's standards. In case of fire, Policy HS-3.2 would guarantee water flow to meet or exceed the City's water fire-flow standards and that fire-flows would be monitored regularly. To prevent such a fire, Policy HS-3.6 states that the City would require property owners to remove fire hazards, including vegetation, hazardous structures, materials and debris.

f. Airport and Airstrip Safety

Implementation of the proposed General Plan would not result in development within 2 miles of a public airport or private airstrip, as the nearest airport, the Modesto City-County Airport, is located 30 miles north of Newman. While there is the landing strip used by the crop duster, this use is shown to convert to other compatible urban uses and with its low level of use does not generate a major hazard. As a result, there would be a *less-than-significant impact* related to airports or airstrip safety.

g. Emergency Preparedness

The proposed General Plan could result in new development and population growth, which could affect the implementation of adopted emergency response and evacuation plan during disasters.

To ensure safety of new projects during and after construction, Policy HS-5.1 states that the City shall ensure that identified emergency routes are kept free of all of traffic impediments. New neighborhoods in Newman would be designed to be consistent with Policy HS-5.4, which would require adequate emergency response times for new development, while response times are maintained or improved for existing neighborhoods.

Recognizing the need to plan for adequate emergency response to protect existing and future development in Newman, the proposed General Plan includes Policy HS-5.3 and Action HS-5.1, that would ensure that the City

regularly update, local preparedness and evacuation plans, including the adopted EOP. Taken together, existing and proposed standards, policies and actions would reduce the potential emergency preparedness impact to a *less-than-significant* level.

2. Cumulative Impacts

As discussed above, while there would be an increase in local population and employment, the proposed General Plan would not result in a significant impact related to hazards and hazardous materials due to local, regional, State and federal regulations. Similarly, as growth occurs in the County, additional people would be exposed to the risk of hazardous materials, wastes and wild-land fires. However, as would occur in Newman, regional, State and federal regulations would apply to development countywide, thereby reducing the potential for cumulative impacts associated with hazards and hazardous materials to a less-than-significant level.

E. Impacts and Mitigation Measures

Since no significant hazards and hazardous materials-related impacts have been identified, no mitigation measures are required.

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4.8 HYDROLOGY AND WATER QUALITY

This section summarizes information on hydrology, including flooding, and water quality in the City of Newman and proposed Sphere of Influence (SOI), and provides an evaluation of the effects the proposed General Plan would have on these environmental factors.

A. Regulatory Framework

There are several laws and policy documents that affect the requirements and infrastructure needs for water quality and stormwater discharge in the project area, as well as flood protection. The most important of these are described below.

1. Federal Water Pollution Control Act (Clean Water Act)

The Clean Water Act (CWA), initially passed in 1972, regulates the discharge of pollutants into watersheds throughout the nation. Section 402(p) of the Act establishes a framework for regulating municipal and industrial stormwater discharges under the National Pollutant Discharge Elimination System (NPDES) Program.¹ Section 402(p) requires that stormwater associated with industrial activity that discharges either directly to surface waters or indirectly through municipal separate storm sewers must be regulated by a NPDES permit. On December 8, 1999, the United States Environmental Protection Agency (EPA) circulated Phase II regulations for non-point sources requiring permits for stormwater. Permits will be required for discharges from Small Municipal Separate Storm Sewer System (MS4s) opera-

¹ Authorized by the CWA, the permit program controls water pollution by regulating point sources (discrete conveyances such as pipes or man-made ditches) that discharge pollutants into waters of the United States. Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters. In most cases, the NPDES permit program is administered by authorized states with oversight from the EPA. (<http://cfpub.epa.gov/npdes/>, accessed on August 10, 2006.)

tors.² The municipal sewer system for the City of Newman will not be considered an MS4 until the City's population grows to 10,000 persons, at which point the City will require a general permit. In California, the NPDES Program is administered by the State (see below).

2. Federal Emergency Management Agency

Floodplain zones are determined by the Federal Emergency Management Agency (FEMA) and used to create Flood Insurance Rate Maps (FIRMs) designating these areas. These tools assist cities in mitigating flooding hazards through land use planning and building permit requirements. To address the need for insurance to cover flooding issues, FEMA administers the National Flood Insurance Administration (NFIA) program. The NFIA program provides federal flood insurance and federally financed loans for property owners in flood prone areas. To qualify for federal flood insurance, the City must identify flood hazard areas and implement a system of protective controls. FEMA produced a Flood Insurance Study (FIS) and designated a 100-year floodplain within the City of Newman and its SOI as shown in Figure 4.8-1. The 100-year floodplain is the area that has a statistical probability of being flooded every 100 years.

3. State Water Resources Control Board

The State Water Resources Control Board (SWRCB) is responsible for implementing the CWA and does so through issuing NPDES permits to cities and counties through regional water quality control boards. Federal regulations allow two permitting options for stormwater discharges - individual permits and general permits. The SWRCB elected to adopt a statewide general permit (Water Quality Order No. 2003-0004-DWQ) for MS4s covered under the CWA to efficiently regulate numerous stormwater discharges under a single permit. Permittees must meet the requirements in Provision D of

² Small MS4s are publicly owned conveyances or conveyance systems of ditches, curbs or underground pipes that divert stormwater into the surface waters of the State. (<http://www.des.state.nh.us/Stormwater/ms4.htm>, accessed August 11, 2006.)

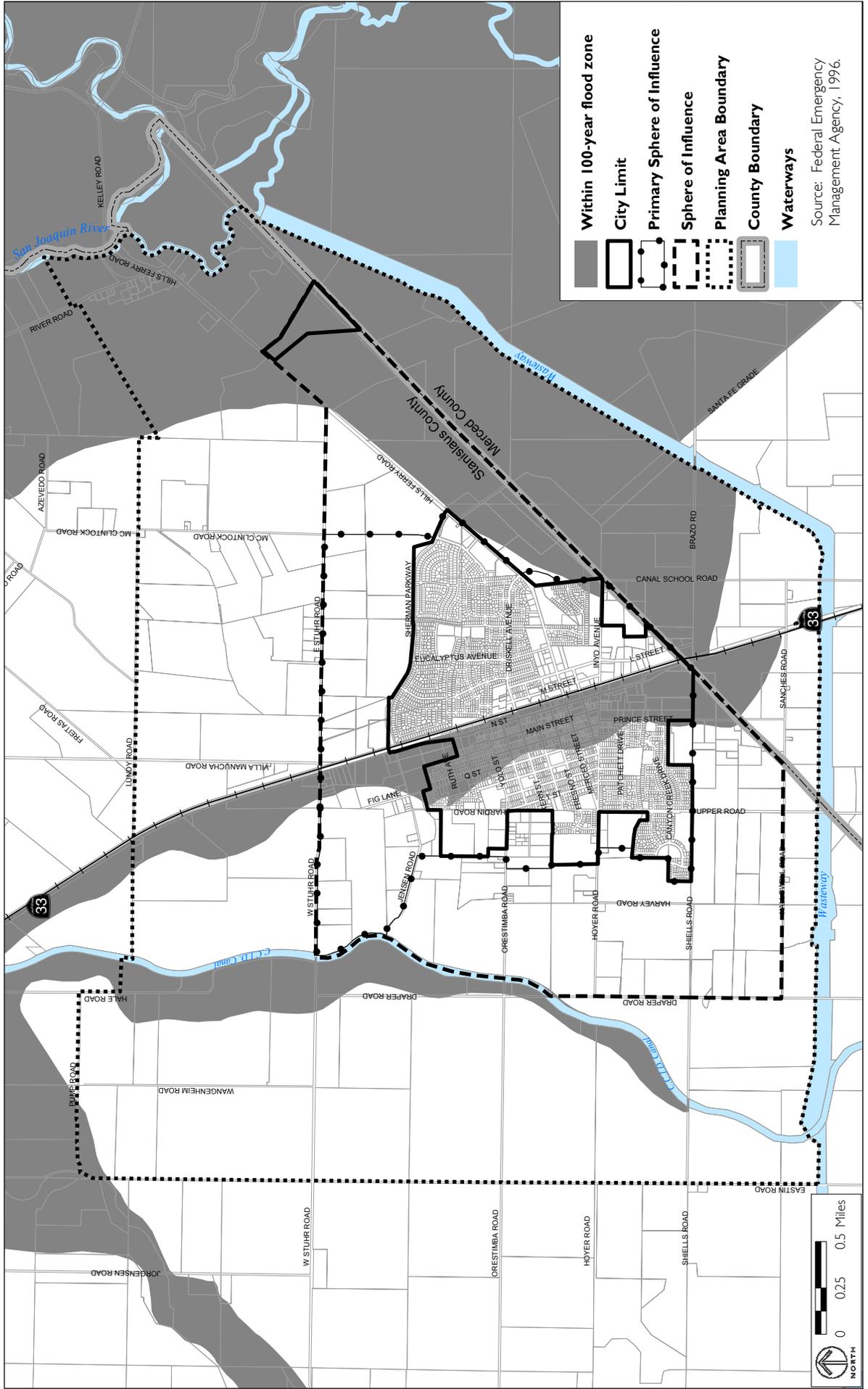


FIGURE 4.8-1

the General Permit, which require development and implementation of a Storm Water Management Plan (SWMP) with the goal of reducing the discharge of pollutants to the maximum extent practicable.

4. Regional Water Quality Control Board

The State's Porter-Cologne Water Quality Control Act outlines the specific responsibilities of the Regional Water Quality Control Boards (RWQCB), and the procedures for coordinating with the SWQCB to meet federal CWA standards. Stanislaus County falls within the Central Valley Region, which is the largest in the State, stretching from the Oregon border south to Los Angeles County. It encompasses 60,000 square miles, or about 40 percent of the State's total area, and includes 38 of the State's 58 counties. The Central Valley Regional Water Quality Control Board (CVRWQCB)'s headquarters are in Sacramento with branch offices in Redding and Fresno.

The CVRWQCB's mission is to "preserve and enhance the quality of California's water resources for the benefit of present and future generations." This duty is carried out by formulating and adopting water quality control plans for specific ground and surface water basins and by prescribing and enforcing requirements on waste discharges. As mentioned above, jurisdictions submit various water quality and stormwater plans to the regional and State boards for approvals.³

B. Existing Conditions

1. Water Quality

a. Surface Water

There are no sources of surface water within the city limits; however, just outside the SOI are three waterways, the Newman Wasteway, the Orestimba Creek and the San Joaquin River, which runs just beyond the Planning Area

³ http://www.waterboards.ca.gov/centralvalley/board_information/index.html, accessed on August 10, 2006.

boundary. These surface waters and the groundwater support a number of local wetlands. The National Wetland Inventory (NWI) maps wetland vegetation in the pastureland north of Brazo Road, east of Canal School Road, in drainages and depressions in the pasturelands in the northeastern portion of the Planning Area, along the Newman Wasteway and following the San Joaquin River, just outside of the Planning Area. Surface water quality is an issue because currently a large portion of the city discharges stormwater runoff into the Wasteway without water quality treatment. Maintaining high water quality for surface waters is important for the wildlife and human health.

b. Groundwater

The City's potable water source is groundwater. All areas within the Planning Area have underlying groundwater, and static water levels vary from 30 to 50 feet.⁴ Groundwater wells are drilled to the blue clay layer which is approximately 500 feet deep. Groundwater quality is an issue because of high salinity. The City expects that an alternate water source, such as treated surface water, may be implemented in the next 10 years.⁵ Further discussion concerning water availability is discussed in greater detail in Section 4.14, Utilities.

2. Drainage and Stormwater Disposal

The City of Newman maintains and services all storm drains within the city. In addition to the storm drains, agricultural ditches that supply and collect water runoff are also located within the city and SOI. These ditches are maintained by the Central California Irrigation District (CCID). Some city storm drains, such as the Westside storm drain and the M Street storm drain, collect CCID water.⁶

⁴ *City of Newman General Plan Background Report*, October 20, 1992, page VI-1.

⁵ Michael Holland, Planning Director, City of Newman. Personal communication with Joanna Jansen, DC&E. May 19, 2005.

⁶ *City of Newman General Plan Background Report*, October 20, 1992, page VI-4.

Drainage within the SOI and the Planning Area is generally from west to east. Storm runoff is collected in underground pipes and the CCID ditches and piped to a pump station at Inyo Avenue and Canal School Road. A major pipe in Inyo Avenue collects from the city pipe system north of Inyo Avenue. This pipe is the main bottleneck in the present system and the city plans on upgrading about 750 to 1,000 feet of the pipe to a 60-inch diameter.⁷

An open channel storm drain runs from the railroad west to Hills Ferry Road along Sherman Parkway and collects from the northeast area of the city. In the southwest part of town, the CCID Clery Ditch collects from the Creek-bridge subdivision. The CCID Miller Ditch runs near Shiells Road and drains Stephens Ranch and Creek Canyon areas. There are five lift stations to pump stormwater, which currently operate below capacity.

The City of Newman has not been regulated by permit requirements for MS4s because the population in the city, until 2006 was fewer than 10,000 people. Water quality is an issue because the population of Newman is growing quickly and because a large portion of the city discharges runoff into the Newman Wasteway without water quality treatment. With a population reaching 10,140 in 2006, Newman now may become subject NPDES Phase II Stormwater Program requirements.⁸ NPDES Phase II requires MS4s to obtain a permit and develop a stormwater management program designed to prevent harmful pollutants from being washed by stormwater runoff into local water bodies. The program must include public education, public participation and involvement, illicit discharge detection and elimination, construction site runoff control, post-construction runoff control and pollution prevention, and good housekeeping.

⁷ Garza, Ernie. Director. Department of Public Works, City of Newman. Personal communication with Michael Brilliot, DC&E. June 29, 2006.

⁸ The existing housing unit and population estimates are for the City limits in 2006 and are from the California Department of Finance, Demographic Research Unit, 2006. Table 2: E-5 City/County Population and Housing Estimates, January 1, 2006.

There are two tile drain systems in the Planning Area, which were installed to lower high groundwater levels by draining agricultural irrigation to the river. The biggest area of tile drains is the Newman Drainage District (NDD), which is located in the northeastern area of the city. Tile drains present two constraints to residential development. First, because the water that drains through these systems drains directly into the San Joaquin River without being treated, NDD is concerned that the tile drain systems do not convey urban runoff and its associated contaminants. Second, it is necessary to maintain access to the tile drains system. Therefore, no buildings can be placed on top of the tile drain system, and areas where the system is in place must be preserved as parks or greenbelts, as will be the case along the eastern edge of in the new Sherman Ranch subdivision.

There is also a smaller tile drain system, known as the Business Park Tile Drain system, which drains agricultural lands between L Street and Canal School Road. The same development constraints apply to this system.

3. Flooding and Dam Inundation

Flooding hazards in Newman can be characterized into three categories: localized flooding, 100-year flood zones and dam inundation hazards.

a. Localized Flooding

Much of Newman is subject to shallow flooding from overflow from Orestimba Creek, which originates in the Coast Range mountains and flows west into the valley. In the gently sloping valley, the channel size and channel slope diminishes, reducing its capacity. Vegetation and silt in the channel, and bridges at Highway 33 and the Southern Pacific Railroad tracks, further reduce the carrying capacity of the creek. During a major rainstorm, flood flow causes overbank flooding, which when it meets the embankments of the CCID canal, Highway 33 and the railroad tracks, is temporarily dammed. While most of the floodwater overtops the embankments and continues eastward, some floodwater is directed southward through Newman by the

railroad embankment. This floodwater ponds in the southeastern part of the city before overtopping the railroad and continuing eastward.⁹

Flooding is most likely to occur from October to April. Flooding usually occurs as sheetflow from Orestimba Creek — broad, shallow, overland flooding generally less than two feet deep and characterized by unpredictable flow paths. Typically, little structural damage occurs because the flooding is shallow and relatively slow in velocity. However, floods in 1958, 1985, 1995 and 1998 damaged roads, homes and other property.¹⁰

b. 100-Year Flood Zone

As mentioned before, FEMA has prepared a map showing areas within Newman which are likely to flood during a 100-year flood event. As shown in Figure 4.8-1, a significant portion of downtown Newman, the SOI and the Planning Area are subject to 100-year floods from either the San Joaquin River or Orestimba Creek. The area along the CCID canal and the railroad track are also subject to flooding from Orestimba Creek, as described above. Virtually the entire area east of the city is within the 100-year floodplain of the San Joaquin River.

c. Dam Inundation

As shown in Figure 4.8-2, parts of the City of Newman, and a large portion of the eastern part of the SOI and the Planning Area, are within the officially demarcated dam inundation zones for several dams. These zones indicate areas which would be inundated if a particular dam were to fail. The San Luis and New Exchequer dam inundation zones extend into the northeastern portion of the city limits, covering parts of the Lucas Ranch and Sherman Ranch housing complexes. The Los Banos, Pine Flat, Friant, O'Neill and Crane Valley storage inundation zones are limited to the western parts of the SOI

⁹ *City of Newman General Plan Background Report*, October 20, 1992, page IX-9.

¹⁰ *City of Newman General Plan Background Report*, October 20, 1992, page IX-9, and personal communication with Ernie Garza, City of Newman Public Works Department. June 2, 2005.

and Planning Area, including the city's wastewater treatment plant. Since the California Water Code requires the Department of Water Resources to complete annual inspections of every municipal dam in the State, a dam inundation event is unlikely.

4. Seiche, Tsunami and Mudflows

Seiches, or waves generated in bodies of water similar to the back-and-forth sloshing of water in a tub, could possibly occur in swimming pools and water tanks; however, they also do not pose a serious threat to the Newman area since there are no major water bodies in the city or SOI. Newman is not at risk from tsunami due to its inland location. Finally, the Newman area is also not at risk of mudflows due to its relatively flat topography and distance from any hillsides.

C. Standards of Significance

The implementation of the proposed General Plan would have a significant impact on hydrology and water quality if it would:

- ◆ Violate any water quality standards or waste discharge requirements.
- ◆ Otherwise substantially degrade water quality.
- ◆ Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.
- ◆ Substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion or siltation or flooding on- or off-site.
- ◆ Otherwise substantially degrade water quality.
- ◆ Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.

- ◆ Place within a 100-year flood hazard area structures which would impede or redirect flood flows.
- ◆ Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.
- ◆ Inundate by seiche, tsunami or mudflow.

D. Impact Discussion

1. Project Impacts

This section discusses the potential impacts of the proposed adoption and implementation of the General Plan on water quality, drainage and stormwater disposal, and flooding in Newman.

a. Water Quality

i. Non-Point Source Pollutants

Water quality can be impacted by the discharge of soils and other pollutants, often associated with urban runoff and construction activities. In addition, grading and construction activity can cause erosion, increasing the sediment load or runoff. These non-point source pollutants in the runoff may flow into local surface waters or seep into the groundwater table and incrementally deteriorate water quality. Pollutants associated with urban uses include oil, grease, pesticides, fertilizers and litter entering drainage facilities and the San Joaquin River, which would have adverse effects on wildlife and human health. As development occurs as allowed by the proposed General Plan, the possibility of additional urban and construction related runoff would increase.

Non-point source pollutants are currently regulated by City ordinance 90-4, which states that no person shall discharge, or cause to be discharged, runoff from rain, storm, street, yard, subsurface or sewage water directly or indirectly into the municipal sewerage facilities. The new development proposed

in the proposed General Plan may increase runoff non-point source pollution into the waterway. To protect water quality from new development, the proposed General Plan includes Policy NR-2.2 that would require new development to be designed and constructed using BMPs to avoid adversely affecting water quality in the San Joaquin River and the area's groundwater. In addition, the proposed General Plan would include Policy NR-2.5, which requires developers to prepare and implement sediment control and soil erosion plans featuring mitigation of sediment runoff beyond project boundaries, revegetation and stabilization of disturbed soils.

Although the proposed General Plan would allow new development that could contribute to erosion and urban pollutants that may end up in the surface or groundwater systems, implementation of the policies contained in the proposed General Plan, combined with other City regulations, would ensure *less-than-significant* impacts to water quality.

ii. High Salinity

At its current population, Newman does not have need for all of the available groundwater in its area and the City diverts excess water into the Newman Wasteway. Demand for water, however, is expected to increase with the new development outlined in the proposed General Plan. When groundwater reserves near depletion, salts can leach out of the soils and into the water column. In Newman, the groundwater has a high salt content. Newman's groundwater does however meet all federal, State and Regional standards for water quality and the high salinity of the water is an issue of taste.¹¹ Because of this issue, is pursuing another alternate water source, such as surface water, to accommodate growth in Newman.¹² As Newman becomes more dependent on these resources, the City would be required by Policy NR-2.3 to

¹¹ Garza, Ernie, Director, Department of Public Works, City of Newman. Personal communication with Michael Brilliot, DC&E. August 25, 2006.

¹² Garza, Ernie, Director, Department of Public Works, City of Newman. Personal communication with Michael Brilliot, DC&E. August 25, 2006.

regularly monitor water quality in city wells for evidence of toxins and other contaminants.

b. Drainage and Stormwater Disposal

Additional development and related construction activities allowed by the proposed General Plan could affect the drainage system in the Newman area with increased runoff, resulting in the need for more drainage capacity and additional monitoring. As previously mentioned, the City plans to upgrade 750 to 1,000 feet of a major pipe at Inyo Avenue to a 60-inch diameter to increase their drainage capacity for runoff. In addition, there are policies included in the proposed General Plan that work to address these environmental concerns.

The proposed General Plan includes Policy NR-2.4, which states that the City would support efforts at the county, regional and State levels to reduce runoff of toxic agricultural chemicals into watercourses and the groundwater basin. The City would be required by Policy NR-2.6 to comply with the requirements of the NPDES. If and when the City becomes covered under NPDES Phase II, General Plan Action NR-2.1 would require the City to obtain a NPDES permit and develop a NPDES stormwater management program including the six minimum control measures. In addition, this Action would require the City to develop measurable goals for the program and to evaluate its effectiveness.

A tile drainage system is currently in place that prevents irrigation inputs from flooding an already high groundwater table. To prevent interference by new development on the tile drain system, Policy PSF-6.2 states that parks and greenbelts would be developed above those portions of the tile drain system that are within developed areas, or areas to be developed. Under these terms, no new buildings would be developed on top of the tile drain system.

By increasing the drainage capacity, obtaining an NPDES permit and maintaining the tile drain system, the City would reduce the potential for impacts associated with increased runoff to a *less-than-significant* level.

c. Flooding and Dam Inundation Risk

Part of the eastern portion of the SOI, as well as the area along the western boundary of the railroad, lies within the 100-year floodplain of the San Joaquin River and Orestimba Creek. The proposed General Plan would allow additional development within areas that are subject to flooding.

However, policies and actions included in the proposed General Plan would improve municipal preparedness and ensure that new development would not worsen existing local flood hazards. Construction of municipal storm drainage improvements would be required by Policy HS-2.4, as appropriate, to prevent flooding during periods of heavy rainfall. In addition, Policy HS-2.1 would ensure that no new residential development, including mobile homes, would be constructed so that the lowest floor is at least 12 inches above the 100-year flood level. As directed by Policy HS-2.3, improvements to existing development that cost at least 30 percent of the estimated current market value of the structure before the improvements, would comply with Policy HS2.1. Insurance for flood victims would continue to be available via Policy HS-2.5, whereby the City would keep its regulations in full compliance with standards adopted by FEMA. For these reasons, the implementation of the proposed General Plan would have a *less-than-significant* impact with respect to flooding.

As explained above, the eastern portion of the SOI is within the officially demarcated dam inundation zone for several dams and the proposed General Plan would allow additional development to occur in areas of dam inundation risk. In the case of dam failure, these particular areas are subject to flooding. However, the risk of dam inundation is low since the Department of Water Resources is responsible for completing annual inspections of each dam for the purpose of safeguarding life and destruction of property. Since the risk of dam failure is low, the adoption of the proposed General Plan *would not result in a significant impact*.

d. Seiche, Tsunami or Mudflow Hazards

As mentioned previously, the potential risk of seiche is low in Newman and the area is not at risk of tsunamis and mudflows. As a result, adoption and implementation of the proposed General Plan *would not result in a significant impact* related to seiches, tsunamis and mudflows.

2. Cumulative Impacts

As development proceeds within Newman and the SOI, the amount of polluted runoff would increase, as well as the amount stormwater, which presents a potential impact to surface and groundwater quality. A greater percentage of the population would also be exposed to the risk from flooding of the 100-year floodplain, or from dam inundation. However, project-level water quality and flooding impacts would be reduced to a less-than-significant level by proposed General Plan policies and existing regulations. New development within the County would also result in an increase in runoff and may locate additional population and structures within areas subject to flooding. Regional development would also be required to comply with regional, State and federal regulations addressing stormwater runoff, water quality and flooding. These regulations would reduce the potential for a cumulative hydrology and water quality impact to less-than-significant, so the proposed General Plan *would not contribute to a significant cumulative impact*.

E. Impacts and Mitigation Measures

Since no significant impacts were identified to hydrology and water quality as a result of the adoption and implementation of the proposed General Plan, no mitigation measures are required.

CITY OF NEWMAN
GENERAL PLAN PUBLIC REVIEW DRAFT EIR
HYDROLOGY AND WATER QUALITY

4.9 LAND USE

This section presents information pertaining to the land use regulations in Newman, the existing land use conditions and potential environmental impacts that the proposed General Plan would have on these uses.

A. Regulatory Framework

The State and the City are responsible for the regulatory framework governing land use. There are several existing plans and policies that currently affect Newman. This section describes the most important of these regulations.

1. County Regulations

Newman's City limits border both Stanislaus County and Merced County. The land outside of Newman to the west, north and northeast is under the jurisdiction of Stanislaus County, while Merced County resides over the land to the southeast of Newman. This section describes the relevant land use policies in both counties.

a. Stanislaus County General Plan

Stanislaus County has designated unincorporated land outside of the existing Newman City limits as either Agriculture, Urban Transition or Industrial. The majority of unincorporated parcels within the proposed Sphere of Influence (SOI) are designated by the County's General Plan as Agriculture, except for approximately 216 acres along the northern and western borders that are designated Urban Transition. A smaller 20-acre parcel to the southeast is designated Industrial.

The County's General Plan states that land designated Agriculture "shall be restricted to uses that are compatible with agricultural practices, including natural resources management, open space, outdoor recreation and enjoyment of scenic beauty." Minimum parcel sizes in agricultural areas are generally 40 to 160 acres. The County has a number of policies in place to preserve agricultural land and protect agricultural uses, including an Agricultural Element in the General Plan. For example, Policy 14 of the Land Use Element states

that “[u]ses shall not be permitted to intrude into or be located adjacent to an agricultural area if they are detrimental to continued agricultural usage of the surrounding area.” Policy 2.3 of the Agriculture Element states that “[t]o reduce development pressures on agricultural lands, higher density development and in-filling shall be encouraged in urban and built-up areas of the County,” and a follow-up Implementation Measure goes on to say that “[t]he County will work with the cities and towns to encourage higher density development and in-filling of already-existing urban areas.”

The County’s Urban Transition designation is applied to land that the County anticipates to annex into an existing incorporate city so that the County can ensure that land remains in agricultural usage until development plans are approved and are consistent with the City’s General Plan.

The Industrial use category allows for parcels to be used for production and manufacturing, including warehouses, self-storage facilities, automobile garages, and production-oriented small businesses.

b. Merced County General Plan

The land outside Newman’s southeastern City limit is under the jurisdiction of Merced County. The unincorporated portion of Merced County that is designated Heavy Industrial and Light Industrial in the existing and proposed Newman General Plan is also designated Industrial in the Merced County General Plan. The County has an agreement with the City of Newman that allows this area to be developed with industrial uses consistent with this General Plan. Furthermore, the agreement states that Merced County will forward all development applications in this area to the City for review and comment.

The remainder of Merced County south of the City limit is designated Agricultural in the Merced County General Plan, as is the majority of the central part of Merced County. According to the Agricultural land use designation, “the Agricultural areas are used [primarily] for cultivated agricultural prac-

tices which rely on good soil quality and water availability, and minimal slopes. Also, many non-cultivated agricultural practices occur in these areas.”

Like Stanislaus County, Merced County has a number of General Plan policies aimed at protecting agriculture. Objective 1.A, Policy 1, states that “Urban development shall occur only within adopted urban boundaries of cities, unincorporated communities and other urban centers consisting of the following designations: Specific Urban Development Plan (SUDP), Rural Residential Center (RRC), Highway Interchange Center (HIC) and Agricultural Services Center (ASC).” The closest urbanized area to Newman is the City of Gustine, 5 miles to the south. Gustine is designated SUDP on the Merced County Land Use Policy Diagram. However, none of the land adjacent to Newman is designated SUDP.

Objective 4.A, Policy 1 also states that agricultural and rural land shall only be converted to urban uses “where a clear and immediate need can be demonstrated based on anticipated growth and availability of public services and facilities.”

2. Conservation Plans

There are not currently any Habitat Conservation Plans or Natural Community Conservation Plans in the Newman area.

3. City Regulations

Land uses within the City of Newman are currently regulated by the following policies and ordinances.

a. 1992 City of Newman General Plan

All development in the City and the SOI, if it is annexed into Newman currently, must conform to the land use designations outlined in the 1992 General Plan. Goals, principles, objectives, policies and implementation measures contained in the Land Use Element of the 1992 General Plan provide additional direction on how the various land use designations should be developed

to contribute to the overall character of Newman. Per State law, the City's General Plan is the primary planning document and all other City plans and policies must be consistent with the adopted General Plan.

b. Sphere of Influence

Newman has an identified SOI established beyond its City limits that has been approved by Stanislaus LAFCO. SOIs are often revised as part of a General Plan update process. Although the City does not have any jurisdiction within its SOI, a SOI indicates the area where the City anticipates to annex and urbanize in the future. It is a way to encourage cities and counties to work together to control and plan for growth in a considered way.

c. Zoning Code

Under State law, the Zoning Code and other City regulations must be consistent with the General Plan Zoning functions to classify, regulate, restrict and segregate land uses, building characteristics and population densities according to and consistent with the land use goals established by the community in the General Plan. Thirteen zoning designations are currently used in Newman, which can be grouped into six basic types of land uses: residential, commercial, industrial, agriculture, public and vacant. The residential category is further subdivided by density, commercial categories are determined by type and location, and public facilities are permitted in any of ten categories.

B. Existing Conditions

Existing land use data is based on data from the Stanislaus County land use database developed in 2004. Table 4.9-1 quantifies the amount of different types of land uses within Newman's existing SOI and City limits. In terms of acreage, the most common land use within the existing SOI and the City limits is agriculture, at 1,991 acres, followed by single-family housing at 736 acres.

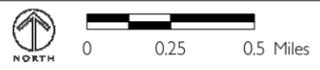
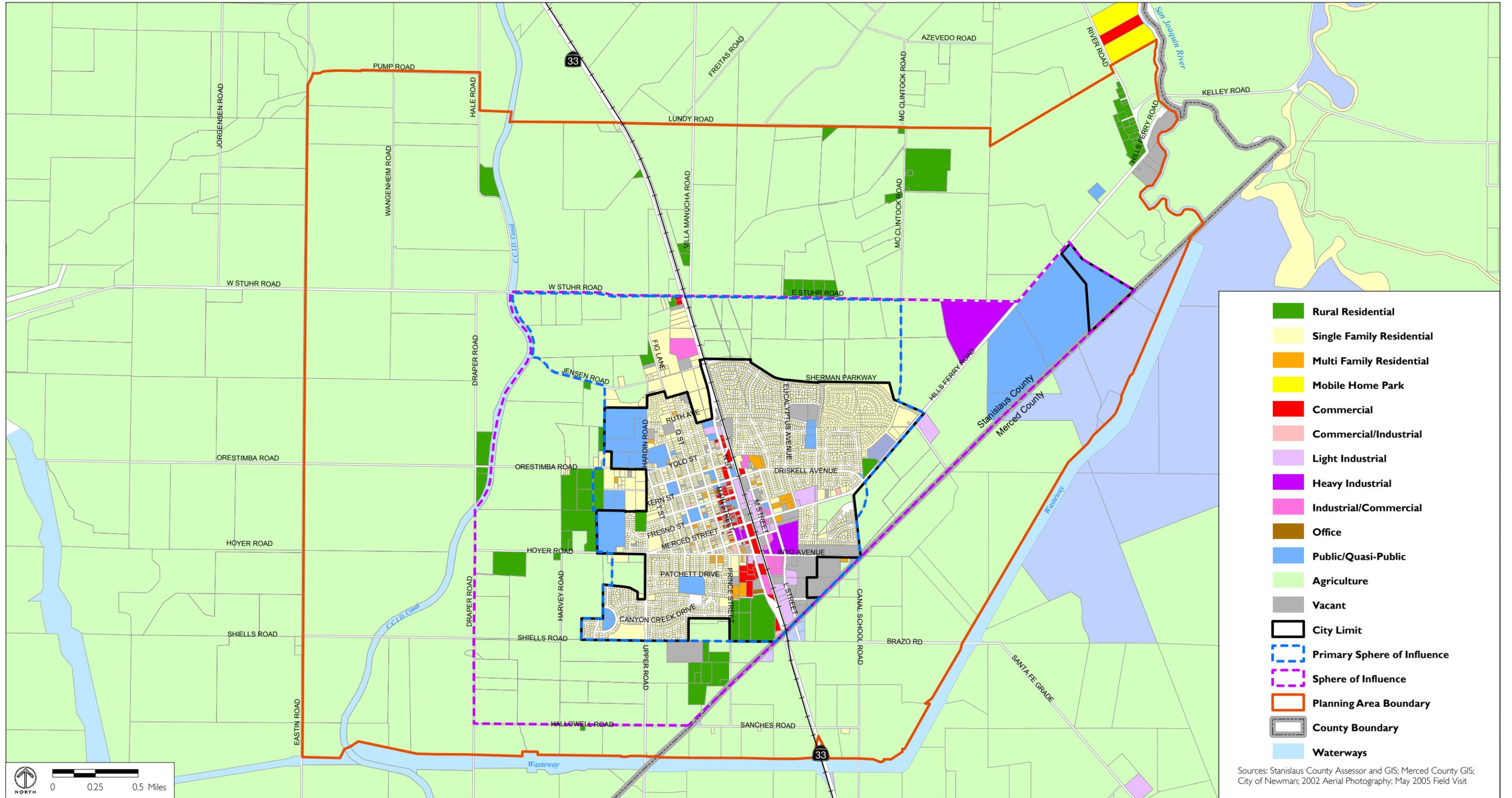
TABLE 4.9-1 **EXISTING NEWMAN LAND USE ACRES**

Land Use Category	City Limits	% of Total in City Limits	SOI	% of Total In SOI	Total Acres
Rural Residential	50	3.7	127	4.8	177
Single Family Residential	611	44.6	125	4.7	736
Multi-Family Residential	23	1.7	1	0	24
Commercial	31	2.3	1	0	32
Commercial/Industrial	18	1.5	11	0.4	29
Industrial	55	4.0	63	2.4	118
Agriculture	13	0.9	1,978	74.6	1,991
Public/Quasi-Public	171	12.5	259	9.7	430
Vacant	83	6.1	44	1.7	127
Right-of-Way	313	22.8	44	1.7	305

Note: Totals may not sum due to rounding.
 Right-of-Way includes roadways.

The following land use categories were created to describe the existing pattern of development in Newman and are not the official General Plan land use designations. Figure 4.9-1 shows the location of the existing land uses within the City of Newman's Planning Area.

- ◆ **Rural Residential.** Rural residential uses are homes and associated out-buildings on several-acre parcels along the edge between the city and the surrounding farmland. These parcels may not be large enough to accommodate commercial agricultural uses, but they are larger and more isolated than the typical single-family home within a more urbanized neighborhood.
- ◆ **Single-Family Residential.** This is the predominant land use within the city of Newman. It refers to parcels that contain a single residence and related structures, such as second units, garages or sheds. Single-family uses fill most of the land between the city limits and the commercial and industrial core of the city.
- ◆ **Multi-Family Residential.** This land use category refers to parcels that contain more than one housing unit and includes duplexes, triplexes, four-plexes, townhomes, condominiums and apartment buildings. These residential categories are found only in a few areas of Newman, including the area south of Driskell Avenue and east of L Street.
- ◆ **Commercial.** Commercial land uses refer to parcels that contain a number of business types including retail, services, restaurants, offices and medical facilities. Commercial development is predominantly located along Highway 33, along Main Street between Kern Street and Merced Street, and in the West Side Marketplace at the southern edge of town.
- ◆ **Office.** There is limited Office land use within Newman, but this category refers to parcels that contain buildings used for office-based businesses.
- ◆ **Light Industrial/Heavy Industrial.** Industrial development refers to parcels used for production and manufacturing and also includes



Sources: Stanislaus County Assessor and GIS; Merced County GIS; City of Newman; 2002 Aerial Photography; May 2005 Field Visit

FIGURE 4.9-1
 EXISTING LAND USE

Figure 4.9-1 Existing Land Use 11x17 BACK

warehouses, self-storage facilities, automobile garages, and production-oriented small businesses. Industrial uses in Newman are concentrated in the southeastern part of town, generally along the east side of Highway 33, south of Merced Street, and north of the County line. L and M Streets are the main streets within the existing industrial area.

- ◆ **Agriculture.** This is by far the predominant land use within the Planning Area as a whole, particularly outside of the city limits. This category includes uses such as row crops, orchards and grazing.
- ◆ **Public/Quasi-Public.** Public facilities cover a number of uses including schools, libraries, police and fire stations, and utilities. These uses are distributed throughout Newman and are generally integrated with surrounding land uses.
- ◆ **Vacant.** Parcels that contain abandoned or vacant structures, or are void of any structures and are not used for agriculture are all classified as vacant.

C. Standards of Significance

The proposed project would create a significant land use impact if it would:

- ◆ Physically divide an established community.
- ◆ Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

D. Impact Discussion

The following discussion provides an analysis of implementation of the proposed General Plan in regards to potential impacts associated with the land use patterns and planning.

1. Project Impacts

a. Community Division

As discussed in the Existing Setting section, Newman was developed mainly as a compact community with limited vacant parcels within the urbanized portions of the City limits. Development permitted under the proposed General Plan would be directed to fill-in sites along the urban edge.

To reduce the potential conflicts between existing and future development, Policy LU-2.2 of the proposed General Plan identifies Master Plans as the way that the City will use to ensure that growth occurs in an orderly manner. To achieve orderly growth, this policy limits the sites available for new development to those that are adjacent to already incorporated land, thereby reducing sprawl into agricultural areas. The proposed General Plan also includes Policy LU-2.5, which reduces the potential for community division by promoting cohesive neighborhoods with distinct character and public facilities.

In addition to controlling new development in Newman, Policy LU-3.9 establishes that the City will remain dedicated to revitalizing its downtown center. Community cohesion will also be strengthened in Newman by the implementation of Policy CD-4.5, which supports direct pedestrian, bicycle and vehicular connections both within the neighborhood and to surrounding neighborhoods. As a result, implementation of the proposed General Plan would not result in a significant land use impact associated with the physical division of an established community.

b. Consistency with Plans and Policies

Per State law, the General Plan is the primary planning document for a community. The proposed General Plan would replace the 1992 General Plan once adopted. Therefore, upon approval and implementation of the proposed General Plan, other City documents may need to be updated to ensure consistency.

To address this, Actions LU-2.4 and LU-2.5 of the proposed General Plan requires the City to update its Zoning Ordinance and its Subdivision Ordinance and other ordinances to ensure consistency with the proposed General Plan and assist with the implementation of the General Plan goals and policies. As part of the update, the Zoning Code will specifically be revised to address the following issues:

- ◆ Ensure consistency with the General Plan in terms of the permitted and development standards.
- ◆ Ensure consistency with the General Plan in terms of the distribution and boundaries of zoning districts.
- ◆ Create new zoning districts as needed.

The proposed General Plan land use designations for the proposed SOI are not consistent with the existing County General Plan designations. However, this inconsistency already exists since the adopted General Plan has urban uses for areas which the County has designated for non-urban uses. As a result, the proposed General Plan *would not create a new significant impact* that does not already exist. Please see Section 4.2 Agricultural Resources of this EIR for a discussion of the potential impacts related to conflicts between existing County agricultural designations and the proposed General Plan.

Regarding consistency with plans and policies pertaining to the SOI, the proposed General Plan includes a SOI that is larger than the adopted LAFCO-approved SOI, as shown in Figure 3-4 of the Project Description. To correct this, the City would request the Stanislaus County LAFCo to update the City's SOI to include the entire SOI identified in the General Plan. Land Use

Element Action LU-2.3 of the proposed General Plan would have Newman request that the Stanislaus County LAFCo adopt the area shown in Figure 3-2 of the Project Description as the City of Newman's official SOI. If LAFCo does not approve the SOI proposed in the proposed General Plan, the existing SOI will remain and the City would need to revise the proposed General Plan to reflect the SOI, which would result in less impacts since it is a smaller area designated for urban uses. Therefore, either way, adoption and implementation of the proposed General Plan would not result in a significant conflict with the County General Plan policies or land use designations.

In summary, implementation of policies and actions in the proposed General Plan and the LAFCo process would result in less than significant land use impacts related to conflicts with other plans, policies and regulations applicable in the Newman area.

2. Cumulative Impacts

As the primary planning document for Newman, the proposed General Plan would have a less-than-significant impact in relation to potential conflicts with other applicable plans, policies and regulations, including the County's General Plan and LAFCO's SOI. Since the proposed General Plan would not have a significant impact on these regional land use plans and policies, the proposed General Plan *would not result in a significant cumulative impact.*

E. Impacts and Mitigation Measures

Since no significant impacts were identified, no mitigation measures are required.

4.10 NOISE

This section begins with an overview of regulations pertaining to noise level increases and then describes the existing noise environment in Newman. It concludes with an evaluation of potential noise impacts from the Newman General Plan. Analysis is based on the noise assessment completed by Illingworth and Rodkin, Inc.

A. Regulatory Framework

Noise is addressed in regulations, standards, and policies at the Federal, State and City-level, as described below. This section summarizes the imposed standards and promoted guidelines.

1. Federal Regulations

The federal Department of Housing and Urban Development (HUD) provides standards related to noise.

a. Department of Housing and Urban Development

HUD environmental noise regulations, presented in the Code of Federal Regulations (24 CFR Part 51B), require that new HUD financed housing construction meet the following noise standards. Exterior noise levels are considered:

- ◆ Acceptable at 65 dBA L_{dn} or less.
- ◆ Normally unacceptable if they exceed 65 dBA L_{dn} but not 75 dBA L_{dn} , unless appropriate sound attenuation measures are provided, which include 5 decibels additional attenuation over standard construction in the 65 to 70 dBA L_{dn} zone or 10 decibels of additional attenuation in the 70 to 75 dBA L_{dn} zone.
- ◆ Unacceptable if they exceed 75 dBA L_{dn} .

Interior noise levels and attenuation requirements are geared toward achieving an interior noise level of 45 dBA L_{dn} . The HUD guidelines assume that standard construction will provide sufficient attenuation to achieve interior

levels of 45 dBA L_{dn} or less if the exterior noise level is 65 dBA L_{dn} or less. These regulations apply to new residential projects that receive federal funding. If housing developed in Newman receives federal funding, the federal noise standards may be applicable in the town.

2. State Regulations

a. California Building Code

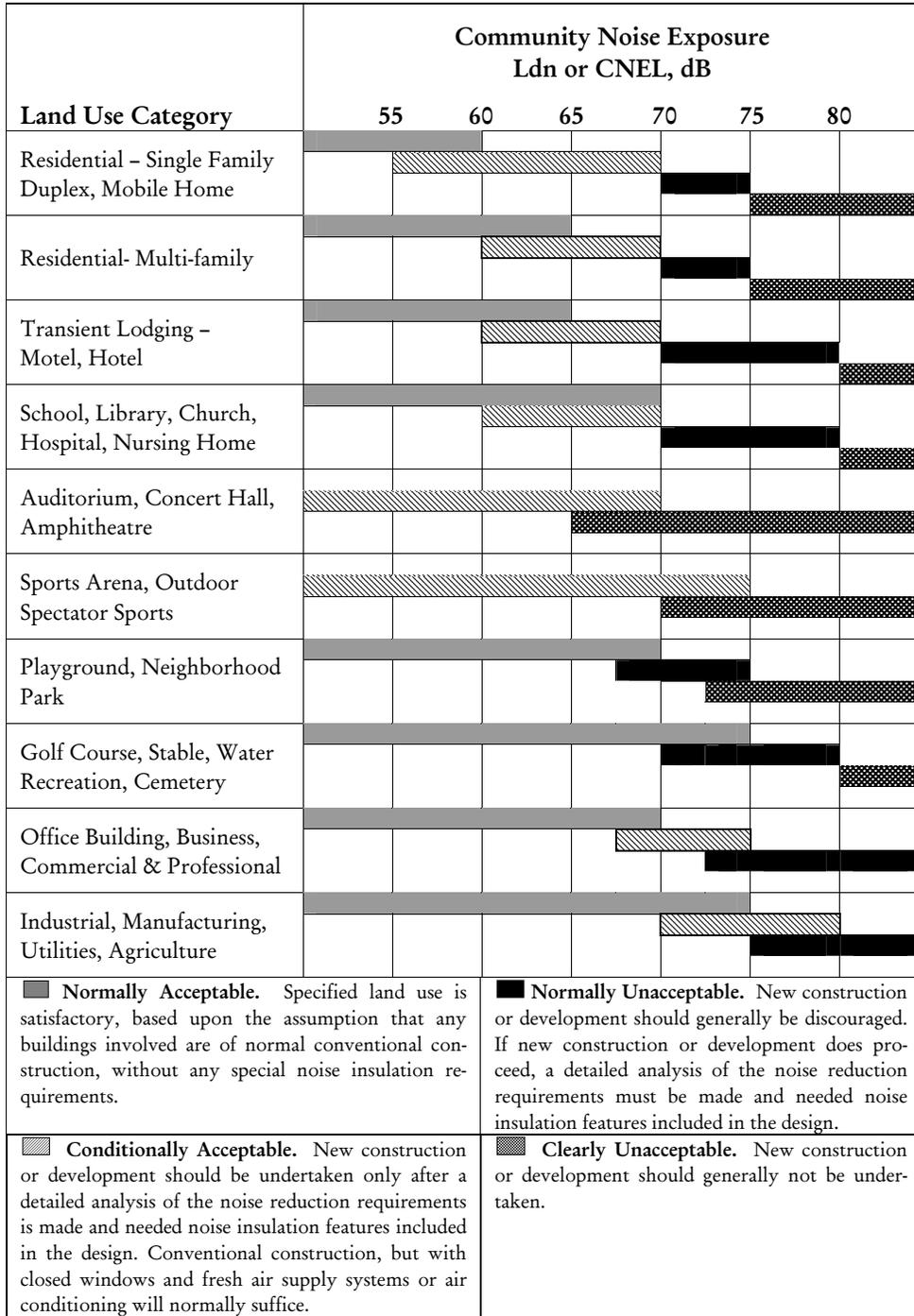
New multi-family housing in California is subject to the environmental noise limits set forth in Title 24, Part 2, of the State Building Code. The interior noise level limit of Title 24 is 45 dBA CNEL or L_{dn} , which is consistent with the HUD standard. Where exterior noise levels exceed 60 dBA L_{dn} , a report must be submitted to the local building department with the building plans describing the noise control measures that have been incorporated into the design of the proposed project to achieve an interior noise level of 45 dBA CNEL or L_{dn} in interior living spaces. If the windows must remain closed in order to meet the required noise level, an alternate means of ventilation such as air-conditioning must be provided.

The State building code also has requirements for airborne and impact noise isolation between adjacent dwelling units. The airborne and impact sound isolation requirements are typically handled in the architectural design phase versus at a General Plan level of analysis.

b. Noise Sensitive Land Uses

Different types of land uses are considered to have various sensitivities to noise based on the types of activities that are expected to take place at those uses. The State of California Office of Noise Control (ONC) has developed a noise/land use compatibility matrix, as shown in Figure 4.10-1, which shows varying degrees of acceptability for noise levels among different land use categories. Figure 4.10-1 is intended to provide guidelines for the development of municipal noise elements. These basic guidelines may be tailored to reflect the existing noise and land use characteristics of a particular community.

FIGURE 4.10-1 STATE OFFICE OF NOISE CONTROL LAND USE COMPATIBILITY STANDARDS



Land uses deemed noise sensitive by ONC include schools, hospitals, rest homes, long-term care and mental care facilities. Many jurisdictions also consider residential uses particularly noise sensitive because families and individuals expect to use time in the home for rest and relaxation, and noise can interfere with those activities. Some variability in standards for noise sensitivity may apply to different densities of residential development, and single-family uses are frequently considered the most sensitive. Jurisdictions may identify other uses as noise sensitive such as churches, libraries, day care centers and parks.

Land uses that are less sensitive to noise include some office and retail developments. There is a range of insensitive noise receptors which generate significant noise levels or where human occupancy is typically low. Examples of insensitive uses include industrial and manufacturing uses, utilities, agriculture, vacant land, parking lots, salvage yards, highway related businesses and transit terminals.

B. Existing Conditions

This section defines and discusses various scales of measurement for noise and the current noise environment in the community.

1. Noise Definitions

Noise can be defined in many ways, but is usually defined as unwanted sound; it is usually objectionable because it is disturbing or annoying. The objectionable nature of sound can be caused by its pitch or its loudness. *Pitch* is the height or depth of a tone or sound, depending on the relative rapidity (frequency) of the vibrations by which it is produced. Higher pitched signals sound louder to humans than sounds with a lower pitch. *Loudness* is the intensity of sound waves combined with the reception characteristics of the ear. Intensity may be compared with the height of an ocean wave, in that it is a measure of the amplitude of the sound wave. Loudness is measured on several scales, which include decibels, A-weighted sound levels, Equivalent Noise

Levels and Community Noise Equivalent Levels. These, and other technical terms are defined in Table 4.10-1.

A decibel (dB) is a unit of measurement that indicates the relative amplitude of a sound. A measure of 0 decibels indicates the lowest sound level that the healthy, unimpaired human ear can detect. A 1 dB change is the minimum generally perceivable in a laboratory setting. Each 10 dB increase in noise level is perceived as an approximate doubling of loudness over a fairly wide range of intensities.

In California, sound is commonly measured with the A-weighted sound level, or dBA. This scale gives greater weight to the frequencies of sound to which the human ear is most sensitive. Sound levels, particularly those that are characterized as “environmental” or general noise, can vary markedly over a short period of time. Representative outdoor and indoor noise levels in units of dBA are shown in Table 4.10-2. For example, light traffic heard from a distance of 100 feet would have a level of 50 dBA. A jet taking off 200 feet away would create 120 dBA. Thus, noise specialists often calculate averages to describe the character of sound over time. Equivalent Noise Level (Leq) is the measure most commonly used to describe these average noise levels. Noise is usually averaged over the period of an hour, but Leq can describe any series of noise event of arbitrary duration. Generally, a 3 dBA change in environmental noise causes a just perceivable difference.

Since sensitivity to noise increases during the evening and at night (because excessive noise interferes with the ability to sleep) 24-hour descriptors have been developed that increase the weighting for noise that occurs during quiet times of day. The increase is referred to as a penalty. For example, the Community Noise Equivalent Level (CNEL) measures the cumulative noise exposure in a place, with a 5 dB penalty added to evening (7:00 p.m. to 10:00 p.m.) and a 10 dB penalty added to nocturnal (10:00 p.m. to 7:00 a.m.) noise levels. The Day/Night Average Sound Level, L_{dn} , is essentially the same as

TABLE 4.10-1 DEFINITIONS OF ACOUSTICAL TERMS

Term	Definitions
Decibel, dB	A unit describing the amplitude of sound. Sound levels in decibels are calculated on a logarithmic basis. A 10 decibel increase represents a ten-fold increase in acoustic energy, while 20 decibels is 100 times more intense, 30 decibels is 1,000 times more intense.
Frequency, Hz	The number of complete pressure fluctuations per second above and below atmospheric pressure.
A-Weighted Sound Level, dBA	Decibel level as measured using the A-weighting filter network which de-emphasizes the very low and very high frequency components of the sound in a manner similar to the frequency response of the human ear and correlating well with subjective reactions to noise. All sound levels in this report are A-weighted, unless reported otherwise.
L ₀₁ , L ₁₀ , L ₅₀ , L ₉₀	The A-weighted noise levels that are exceeded 1%, 10%, 50%, and 90% of the time during the measurement period.
Equivalent Noise Level, L _{eq}	The average A-weighted noise level during the measurement period.
Community Noise Equivalent Level, CNEL	The average A-weighted noise level during a 24-hour day, obtained after addition of 5 decibels to sound levels measured from 7:00 pm to 10:00 pm and 10 decibels to sound levels measured between 10:00 pm and 7:00 am.
Day/Night Noise Level, L _{dn}	The average A-weighted noise level during a 24-hour day, obtained after addition of 10 decibels to levels measured in the night between 10:00 pm and 7:00 am.
L _{max} , L _{min}	The maximum and minimum A-weighted noise level during the measurement period.
Ambient Noise Level	The composite of noise from all sources near and far. The normal or existing level of environmental noise at a given location.
Intrusive	Noise which intrudes over and above the existing ambient noise at a given location. Relative intrusiveness depends on amplitude, duration, frequency, time of occurrence and tonal or informational content as well as the prevailing ambient noise level.

Source: Illingworth & Rodkin, Inc.

TABLE 4.10-2 **TYPICAL SOUND LEVELS IN THE ENVIRONMENT**

Common Outdoor Noise Source (At a Given Distance)	A-Weighted Sound Level in Decibels	Common Indoor Noise Source	Subjective Impression
	140		
Civil defense siren (100 feet)	130		
Jet take-off (200 feet)	120		Pain threshold
	110	Rock music concert	
Diesel pile driver (100 feet)	100		Very loud
Freight cars (50 feet)	90	Boiler room Printing press plant	
Pneumatic drill (50 feet)	80	In kitchen with	
Freeway (100 feet)	70	Garbage disposal running	Moderately loud
Vacuum cleaner (10 feet)	60	Data processing center	
Light traffic (100 feet)			
Large transformer (200 feet)	50	Department store	
	40	Private business office	Quiet
Soft whisper (5 feet)	30	Quiet bedroom	
	20	Recording studio	
	10		Threshold of hearing

Source: Data compiled by Illingworth & Rodkin, Inc.

CNEL, with the exception that the evening time period is dropped and all occurrences during this three-hour period are grouped into the daytime period.

2. Newman's Noise Environment

The major noise sources in Newman are vehicular traffic on major roadways, intermittent railroad operations along the Union Pacific Railroad (UPRR), and industrial activities. Roadway traffic generates noise throughout the city. Railroad trains intermittently generate noise levels along the railroad tracks. Noise is also generated on individual parcels whether industrial, commercial or residential. These noise sources do not affect the overall noise environment throughout the community. While there is a small landing strip in the SOI used by a crop duster, Newman is not located within an airport plan or within two miles of any private airfields and aircraft noise is not considered a major noise source in the city.

A comprehensive noise monitoring survey was conducted to document noise generated by the predominant noise sources that affect the City of Newman, namely highways, local arterial and collector roadways, and the Newman Flange and Fitting Company. The noise monitoring survey included a combination of long-term (24-hour durations) and short-term (10-minute durations) noise measurements throughout Newman. The measurements included a combination of 4 long-term measurements conducted during the daytime, evening, and nighttime and seven short-term measurements throughout the City. The locations of the long-term (LT) and short-term (ST) noise measurements are shown in Figure A-1 in Appendix A. The primary sources of noise in Newman are discussed in the list below.

a. Roadways

Roadways are the primary sources of noise in Newman, with Highway 33 having the highest noise levels. Other primary existing vehicular noise sources in Newman include Kern Street, Merced Street, Hills Ferry Road, Yolo Street, Stuhr Road, Upper Road, and Prince Street. Existing and future traffic noise levels throughout Newman were modeled to determine the an-

anticipated traffic noise levels along major roadways in the city. The traffic noise model was adjusted using noise measurements and corresponding traffic volume counts conducted during the General Plan noise monitoring survey. Existing average daily traffic volumes and speeds, supplied by K.D. Anderson Transportation Engineers, were used to estimate L_{dn} values at some locations. Table A-1 in Appendix A shows a summary of the calculated existing and future L_{dn} traffic noise levels along major city roadways at a distance of 50 feet from the center of the near lane of the roadway and a summary of the calculated distances from the centerline to the future L_{dn} contours. Noise contours for the General Plan buildout are mapped in Figure A-6 (Appendix A). Roadways with 60 dBA L_{dn} contour distances of less than 50 feet were not included in the table or contour map. Noise levels assume traffic along the roadway is the primary noise source and do not take shielding by terrain or structures into account.

b. Union Pacific Railroad

A branch line of the UPRR passes along Highway 33 in Newman. Currently, one freight train goes southbound through town to Volta and then returns back through town northbound each weekday along the UPRR line, during daytime hours. Train speeds are typically 25 to 35 miles per hour. Maximum noise levels generated by railroad movements along this track are similar to those generated by traffic along Highway 33. Train movements typically generate maximum noise levels of about 90 dBA at a distance of 100 feet. Due to the low occurrence and moderate speeds of train movements, the 60 dBA L_{dn} noise contour would be located within 100 feet of the railroad tracks. In locations without horn soundings, train operations generate noise levels of about 54 dBA L_{dn} at a distance of 100 feet from the tracks and where warning horns are used, the L_{dn} is approximately 60 dBA L_{dn} at a distance of 100 feet. Average day-night noise levels generated by traffic along Highway 33 dominate the noise environment along the tracks at many locations.

c. Stationary Noise Sources

Noise is inherent to many industrial processes, even with the best available noise control technology. The major industrial facilities within Newman are

located along Inyo Avenue east of Highway 33. Noise exposure information for the Newman Flange and Fitting Company and the F & A Dairy were developed from the noise measurement survey. The industrial areas represented in this document are intended to identify noise sources that are located near noise sensitive land uses.

- ◆ **Newman Flange and Fitting Company:** Based on the noise measurement survey, activities generate approximately 74 dBA L_{dn} , including outdoor mechanical equipment noise and intermittent metal impact press noise, at a distance of 130 feet from the building and outdoor mechanical equipment. The outdoor mechanical equipment is assumed to be running 24-hours per day and generates a constant noise level of about 73 dBA L_{eq} at a distance of 80 feet. Typical maximum noise levels generated by metal impact presses ranged from 90 to 95 dBA L_{max} at a distance of 130 feet from the building. Based on a “worst-case” estimate, without taking acoustical shielding from buildings or terrain into account, the 60 dBA L_{dn} noise contour for this facility is located about 650 feet from the facility building and the 70 dBA L_{max} noise contour is located 2300 feet from the facility building. On weekends, when the facility is not operating, noise levels would be lower, but the outdoor mechanical equipment may continue to operate.
- ◆ **Simon Newman Company:** The only on-site noise source audible during the noise measurement survey was forklift operations taking place within the loading dock of the facility. However, based on the 1992 documentation, the 50 dB noise contour for this facility is approximately 1800 feet from the primary plant noise source during normal plant operation.
- ◆ **F & A Dairy:** Noise generated at the nearby Newman Flange & Fitting Company is the primary noise source during daytime operating hours. During the measurement survey, the only audible noise source generated by dairy activities was truck movements and idling on L Street.
- ◆ **Leprino Foods:** During the measurement survey, there were no audible noise sources generated by plant activities. Based on the 1992 documen-

tation, the 50 dB noise contour for this facility is approximately 200 feet from the primary plant noise source during normal plant operation.

- ◆ **DiMare Packaging:** During the noise monitoring survey (conducted in April), the facility was not in operation and there were no audible noise sources generated by facility activities. The primary exterior noise sources are expected to be an exterior air compressor, which runs 24 hours per day in-season, and truck operations. Indoor equipment is not expected to generate substantial noise levels outside the facility.

d. Long-term Noise Measurements

Long-term (24-hour) noise levels were monitored at 4 locations within or near the City of Newman on April 25th to 26th, 2005 and July 20th to 22nd, 2004. The noise measurement locations are shown on Figure A-1 in Appendix A. The diurnal noise levels measured at the four long-term locations are summarized in Figures A-2 through A-6 of Appendix A. The following discussion summarizes the long-term noise measurements.

- ◆ **LT-1 – Merced Street:** Noise measurement LT-1 was located approximately 30 feet from the centerline of Merced Street, at M Street. The primary noise source at this location was vehicular traffic along Merced Street. Hourly noise levels ranged from 63 to 68 dBA L_{eq} during daytime hours and dropped to a minimum of 55 dBA L_{eq} at night. The measured overall day/night noise level was 68 dBA L_{dn} .
- ◆ **Location LT-2 – SR 33:** Measurement location LT-2 was selected to characterize existing noise levels generated by traffic along SR 33 and by railroad operations along the branch line of the UPRR. LT-2 was located 60 feet from the centerline of SR 33 and 100 feet from the railroad tracks. Maximum noise levels generated by the railroad operations were similar to those generated by traffic along SR 33. The measured day-night average noise level was 72 dBA L_{dn} . Hourly average noise levels ranged from about 65 to 72 dBA L_{eq} during the daytime and drop as low as 58 dBA L_{eq} at night.
- ◆ **Location LT-3 – Newman Flange and Fitting Company:** Noise levels were monitored at this location to determine the noise levels generated

by industrial activities in Newman. The measurement location was about 130 feet east of the Newman Flange and Fitting Company, which was the primary noise source at this location. Industrial noise sources on-site included outdoor mechanical equipment noise and loud intermittent noise generated by loud metal impact presses within the facility building. In addition, trucks arriving and departing from the trucking facility located east of the measurement location were audible during times with limited activity at the Flange and Fitting Company. Based on the measurement data, it is predicted that the outdoor mechanical equipment is running 24 hours per day (61 to 63 dBA L_{eq}) and that the majority of noise generating activities took place between 7:00 a.m. and 4:00 p.m. (69 to 81 dBA L_{eq}). The L_{dn} at this location was measured to be approximately 74 dBA, which includes both intermittent industrial noise, mechanical equipment noise, and noise generated by local truck movements.

- ◆ **Location LT-4 - Highway 33, North of Newman (July 2004):** The measurement at Location LT-4 was approximately 50 feet from the centerline of Highway 33, just north of Crows Landing, and was selected to characterize the noise exposure along Highway 33 north of the city limits. The measured noise level was 72 dBA L_{dn} . Hourly average noise levels ranged from about 65 to 70 dBA L_{eq} during the daytime and drop to about 57 dBA L_{eq} at night.

e. Short-term Noise Measurements

Short-term spot measurements were made at seven locations throughout Newman on April 25th and 26th, 2005 to characterize typical daytime noise levels and to collect traffic and noise data to be used subsequently in the computation of traffic noise contours for the General Plan. The noise measurement locations are shown in Figure A-1 in Appendix A. The measured data is summarized in Table 4.10-3. Vehicular traffic on the street network was the dominant noise source during the majority of the measurements. Industrial noise generated by the Newman Flange and Fitting Company was the major noise source at location ST-7. There were small contributions from intermittent local noise such as distant industrial or residential noise at a few of the locations.

TABLE 4.10-3 **SUMMARY OF SHORT-TERM NOISE MEASUREMENTS**

Noise Measurement Location (Date and Time)	L ₍₁₎ , dBA	L ₍₁₀₎ , dBA	L ₍₅₀₎ , dBA	L ₍₉₀₎ , dBA	L _{eq} , dBA	Primary Noise Source
ST-1: Corner of Inyo Ave. and Main St., 25 feet from centerline of Inyo Ave. (4/25/05, 13:45-13:55)	74	67	59	50	64	Traffic on Inyo Avenue
ST-2: 30 feet from centerline of Merced Street, west of P Street (4/25/05, 14:07-14:17)	68	64	54	49	58	Traffic on Merced Street
ST-3: 30 feet from centerline of Hoyer Road, west of Upper Rd. (4/25/05, 14:26-14:36)	75	63	47	40	64	Traffic on Hoyer Road and Upper Road
ST-4: 40 feet from centerline of Kern Street, west of L St. (4/25/05, 14:45-14:55)	69	65	59	47	61	Traffic on Kern Street
ST-5: 30 feet from centerline of Yolo St., between Main St. and Lee Ave. (4/26/05, 11:44-11:54)	77	69	56	46	65	Traffic on Yolo Street
ST-6: 30 feet from the centerline of Upper Rd. (4/26/05, 12:02-12:12)	69	65	54	44	60	Traffic on Upper Road
ST-7: L St., 115 feet from outdoor mechanical equipment at Newman Flange and Fitting Co. (4/26/05, 12:20-12:30)	74	73	73	73	73	Industrial Noise

f. Construction Noise

Construction activities generate considerable amounts of noise, especially during the demolition phase and the construction of project infrastructure when heavy equipment is used. Noise impacts resulting from construction depend on the noise generated by various pieces of construction equipment,

the timing and duration of noise generating activities, and the distance between construction noise sources and noise sensitive receptors.

The highest maximum noise levels generated by project construction would typically range from about 90 to 105 dBA at a distance of 50 feet from the noise source. Typical hourly average construction generated noise levels are about 81 dBA to 89 dBA measured at a distance of 50 feet from the center of the site during busy construction periods, such as when earth moving equipment and impact tools are being used. Construction generated noise levels drop off at a rate of about 6 dBA per doubling of distance between the source and receptor. Shielding by buildings or terrain often result in much lower construction noise levels at distant receptors.

Typically, small residential, commercial, or office construction projects do not generate significant noise impacts when standard construction noise control measures are enforced at the project site and when the duration of the noise generating construction period is limited to one construction season (typically one year) or less. Construction noises associated with projects of this type are disturbances that are necessary for the construction or repair of buildings and structures in urban areas. Reasonable regulation of the hours of construction, as well as regulations of the arrival and operation of heavy equipment and the delivery of construction materials, are necessary to protect the health and safety of persons, promote the general welfare of the community, and maintain the quality of life.

Larger construction projects are typically built out over more than one construction season, and some construction methods, such as pile driving, generate higher noise levels and noise that would be considered impulsive. Construction noise impacts primarily result when construction activities occur during noise-sensitive times of the day (early morning, evening, or nighttime hours), the construction occurs in areas immediately adjoining noise sensitive land uses, or when construction durations last over extended periods of time. Limiting the hours when construction can occur to daytime hours is often a simple method to reduce the potential for noise impacts. In areas immedi-

ately adjacent to construction, controls such as constructing temporary noise barriers and utilizing “quiet” construction equipment can also reduce the potential for noise impacts.

C. Standards of Significance

California Environmental Quality Act (CEQA) includes qualitative guidelines for determining significance of adverse environmental noise impacts. Implementation of the proposed General Plan would result in a significant noise impact if it would:

- ◆ Expose people to or generate noise levels in excess of standards established in the local general plan, noise ordinance, or applicable standards of other agencies.*
- ◆ Expose people to or generate excessive groundborne vibration or groundborne noise levels.
- ◆ Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.*
 - CEQA does not define the noise level increase that is considered substantial. Typically, an increase in the day-night average noise level of 3 dBA L_{dn} or greater at noise-sensitive receptors would be considered significant when projected noise levels would exceed those considered satisfactory for the affected land use. An increase in the day-night average noise level of 5 dBA L_{dn} or greater at noise-sensitive receptors would be considered significant when projected noise levels would continue to meet those considered satisfactory for the affected land use.
- ◆ Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.*
 - Construction activities that cause noise levels to exceed an hourly average of 60 dBA L_{eq} and exceed existing ambient noise levels by 5 dBA or more at a sensitive receiver, and last more than one con-

struction season, would be considered to cause a substantial temporary or periodic increase in ambient noise.

- ◆ For projects within an area covered by an airport land use plan or within two miles of a public airport or public use airport when such an airport land use plan has not been adopted, or within the vicinity of a private airstrip, expose people residing or working in the project area to excessive aircraft noise levels.
- ◆ For a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels.

Checklist items with a * are relevant to the proposed project. The project would not introduce any sources of groundborne vibration and no new vibration sensitive uses are proposed along the UPRR branch line. The project is not located in the vicinity of a private airstrip or public airport, other than the minor landing strip for the crop duster plane. Standards regarding groundborne vibration and airports are thus not carried forward for further analysis.

D. Impact Discussion

The following provides an assessment the potential impacts of the proposed General Plan with regards to noise.

1. Project Impacts

a. Conformance with General Plan Land Use Noise Compatibility Guidelines

Single-family residential developments, schools, libraries, hospitals, convalescent homes, and places of worship are the most noise-sensitive land uses. High-density/mixed-use residential, commercial, and industrial development is less noise sensitive because uses are primarily indoors, and mitigated with building design and construction. Residential development is sensitive to community noise both outdoors and indoors. The proposed General Plan outlines Noise and Land Use Compatibility Guidelines, which establish a

“normally acceptable” exterior noise exposure level of 60 dBA Ldn for new noise sensitive land uses, such as single family homes and schools. Acceptable levels for multi-family uses is set at 65 dBA Ldn in the proposed General Plan, with acceptable levels for interior noise levels for all residential uses set at 45 Ldn.

Existing and future traffic noise levels throughout Newman were modeled to determine the anticipated traffic noise levels along major roadways in the city. Traffic noise projections were dependant on traffic volumes and lane configurations supplied by K.D. Anderson Transportation Engineers, estimated traffic speeds based on roadway classifications, and estimated truck percentages based on traffic volume counts conducted by Illingworth & Rodkin by vehicle type along some roadways simultaneous with noise measurements. The traffic noise model was adjusted using noise measurements and corresponding traffic volume counts conducted during the noise monitoring survey. Existing average daily traffic volumes and lane configurations, supplied by K.D. Anderson Transportation Engineers, were used to estimate L_{dn} values at some locations.

Due to the large expected population growth in Newman, significant traffic noise increases are anticipated to occur on major roadways throughout the proposed SOI. The large population increase is primarily associated with large increases in residential land uses. As a result, it is likely that truck percentages along many existing roadways would be reduced in the future with the influx of residential traffic. For a credible ‘worst-case’ assessment, this analysis assumes that proposed General Plan buildout truck percentages along area roadways would remain the same as existing truck percentages. Truck percentages along new roadways and roadways which did not include vehicle percentage counts were estimated based on roadways with similar speed, classification, and routing characteristics. The traffic noise model was adjusted using noise measurements and corresponding traffic volume counts conducted during the proposed General Plan noise monitoring survey. Table A-1 in Appendix A shows a summary of the calculated existing and future L_{dn} traffic noise levels along major city roadways at a distance of 50 feet from the

center of the near lane of the roadway and a summary of the calculated distances from the centerline to the future L_{dn} contours. Noise contours for the proposed General Plan buildout are mapped in Figure A-6 (Appendix A). Roadways with 60 dBA L_{dn} contour distances of less than 50 feet were not included in the table or contour map. Noise levels assume traffic along the roadway is the primary noise source and do not take shielding by terrain or structures into account.

New residential development is proposed in areas which could exceed 60 dBA L_{dn} along Highway 33, Draper Road, West Parkway, Upper Road, Hardin Road, Fig Lane, Q Street, Prince Street, Main Street, M Street, Balsam Drive, Barrington Avenue, McClintock Road, Stuhr Road, Jensen Road, Sherman Parkway, Orestimba Road, Yolo Street, Kern Street, Driskell Avenue, Hoyer Road, Merced Street, Hills Ferry Road, Shiells Road, and Hallowell Road. Without noise reduction measures, such as acoustical shielding by sound barriers, terrain, or built structures, these uses would exceed the noise levels considered compatible for their land use. Multi-family uses proposed along Highway 33, Draper Road, West Parkway, Upper Road, Hardin Road, Fig Lane, Prince Street, McClintock Road, Stuhr Road, Jensen Road, Sherman Parkway, Orestimba Road, Yolo Street, Kern Street, Driskell Avenue, Hoyer Road, Merced Street, Hills Ferry Road, and Shiells Road would exceed 65 dBA L_{dn} at a distance of 50 feet from the centerline of the roadway. Proposed uses along Highway 33, Stuhr Road, Jensen Road, Sherman Parkway, Hoyer Road, Merced Street, and Hills Ferry Road would exceed 70 dBA L_{dn} .

The major industrial facilities within Newman are located along Inyo Avenue, east of Highway 33, including the Newman Flange and Fitting Company. Future operations at existing and proposed industrial and commercial facilities are dependent on many variables and information is unavailable to allow meaningful projections of noise. Depending on the actual use and the design of the site plan, noise conflicts could occur with the development of residential uses adjacent to commercial or industrial uses. Industrial and service commercial areas would not, for the most part, be located adjacent to noise sensitive areas. However, where noise sensitive uses are proposed in the

vicinity of noise generating uses, noise levels could exceed 60 dBA L_{dn} without noise reduction measures.

Where exterior noise levels exceed 60 dBA L_{dn} in new residential development, interior levels may exceed 45 dBA L_{dn}. Interior noise levels within residential units with the windows partially open and approximately 25 decibels lower than exterior noise levels with the windows closed, assuming typical California construction methods. Where exterior day-night average noise levels are 60 to 70 dBA L_{dn}, interior noise levels can typically be maintained below 45 dBA L_{dn} with the incorporation of an adequate forced air mechanical ventilation system in the residential unit to allow residents the option of controlling noise by maintaining the windows closed. In areas exceeding 70 dBA L_{dn}, such as along Highway 33, Stuhr Road, Jensen Road, Sherman Parkway, Hoyer Road, Merced Street, and Hills Ferry Road, the inclusion of windows and doors with high STC ratings, and the incorporation of forced-air mechanical ventilation systems, may be necessary to meet 45 dBA L_{dn}.

To address these potential issues, the proposed General Plan includes several policies related to noise and land use compatibility. The implementation of Policy HS-6.1 would require that the Noise and Land Use Compatibility Guidelines and noise level performance standards be used to determine where noise levels in the community are acceptable or unacceptable. Policy HS-6.5 requires noise analyses of new development proposals when appropriate in order to maintain consistency with the interior and exterior noise standards in the proposed Noise Element. Policy HS-6.6 specifically extends the interior noise limits set forth in the State Building Code to all new single-family housing in Newman. Policy HS-6.7 provides guidance regarding project level mitigation measures.

Based on the implementation of these policies, buildout of the proposed General Plan would *not result in any significant impacts* related to Newman's land use/noise compatibility standards.

b. Substantial Noise Increases

As development proceeds in Newman and the surrounding areas, vehicular traffic on roadways would increase. The anticipated increase in vehicular traffic would result in increased traffic noise. Traffic noise levels throughout Newman were modeled to determine how changes in vehicular traffic volumes would affect traffic noise levels. Traffic noise levels were projected for the proposed General Plan buildout. These traffic volumes included traffic growth due to the proposed General Plan as well as other development outside of Newman. Localized noise increases may also occur as a result of changes to existing or the development of new noise generating uses such as industrial or commercial. Noise impacts resulting from buildout of the proposed General Plan are assessed by comparing projected noise levels to the existing condition.

i. *Traffic Noise*

Traffic noise levels throughout Newman were modeled for both existing and future General Plan buildout conditions for the proposed General Plan. Increases in traffic noise by the proposed General Plan buildout above existing levels are shown in Table 4.10-4. Resulting noise levels along all of these roadways would exceed 60 dBA L_{dn} at a distance of 50 feet from the center of the near lane of traffic. Of these roadways, Highway 33, Upper Road, Prince Street, Barrington Avenue, Merced Street, Hills Ferry Road, Canyon Creek Drive, Kern Street, Driskell Avenue, and Inyo Avenue are adjacent to existing residences within Newman. Residences located adjacent to roadways with low existing traffic volumes, including Fig Lane, Main Street, Balsam Drive, Eucalyptus Avenue, Orestimba Road, and Hoyer Road, would also experience significant traffic noise increases. In addition, many new roadways are proposed (including West Parkway, three 'Collectors', and a County Line Connector) and several existing roadways would be extended to connect with the existing and proposed roadway network (including Eucalyptus Avenue, McClintock Road, Jensen Road, Sherman Parkway, and Shiells Road).

TABLE 4.10-4 **INCREASES IN TRAFFIC NOISE ALONG AREA ROADWAYS BY PROPOSED GENERAL PLAN BUILDOUT**

Roadway Segment	Increases Above Existing Levels, dBA L _{dn}
Highway 33	6-7
Draper Road	7
Upper Road	7
Prince Street	8
Eucalyptus Avenue	4
Barrington Avenue	4
Canal School Road	6-7
Stuhr Road	6-9
Yolo Street	3
Kern Street	5
Merced Street	6-10
Hills Ferry Road	7
Inyo Avenue: Downtown	4
Inyo Avenue: East of Highway 33	10
Canyon Creek Drive	6

Implementation of proposed Policy HS-6.4 would reduce traffic related noise impacts on existing noise sensitive uses through the use of setbacks, street circulation design, coordination of routing and other traffic control measures, the construction of noise barriers, and the use of “quiet” pavements when resurfacing roadways. Action HS-6.1 would require the evaluation of mitigation measures for projects that would cause significant increases at existing noise sensitive uses. Off-site mitigations to private property may or may not be reasonable or feasible. In locations where exterior noise mitigation such as sound walls or setbacks are not feasible and interior noise levels at a given residential unit are anticipated to exceed 45 dBA L_{dn} , steps could be taken such as improving windows or providing air-conditioning to reduce interior noise levels to 45 dBA L_{dn} or less. Action HS-6.3 would establish a noise abatement protocol for existing sensitive land uses located in areas anticipated to experience significant noise increases with the implementation of the proposed General Plan. Cumulative traffic noise impacts on existing noise sensitive uses could be reduced through the inclusion of exterior and/or interior sound reduction measures such as setbacks, noise barriers, forced-air mechanical ventilation and sound rated window construction. Action HS-6.3 recommends that the City research sources of funding for these actions.

Even with the above-mentioned policies and action, due to the large number of variables inherent in offsite mitigation on private property, traffic noise increases would remain *significant* in some areas with the implementation of the proposed General Plan.

ii. Commercial and Industrial Noise

Most new uses under the proposed General Plan would be residential. However, some light industrial and commercial uses are proposed adjacent to existing residences. Future operations at existing and proposed industrial and commercial facilities are dependent on many variables and information is unavailable to allow meaningful projections of noise. Depending on the actual use and the design of the site plan, the development of commercial or

industrial uses adjacent to existing residential uses could increase noise levels in localized areas.

Policies HS-6.2 and HS-6.3 of the proposed General Plan would require that noise increases at noise sensitive land uses resulting from new projects be minimized and that new non-transportation noise sources be mitigated so as not to exceed the noise level standards as indicated in Table HS-4 of the proposed General Plan (not shown). Action HS-6.1 would require the evaluation of mitigation measures for projects that would cause significant increases at existing noise sensitive uses. Noise can be mitigated through site design, building design and materials, landscaping, hours of operation or other techniques. With the implementation of the proposed General Plan policies, this is a *less-than-significant* impact.

c. Construction Noise

The nature of construction noise and the potential impacts associated with such noise are discussed earlier in this section. As was explained, construction activities can generate considerable amounts of noise, especially during demolition and the construction of project infrastructure when heavy equipment is used.

Construction-related noise levels typically range from about 90 to 105 dBA at a distance of 50 feet from the noise source. Typical hourly average construction generated noise levels are about 81 dBA to 89 dBA measured at a distance of 50 feet from the center of the site during busy construction periods. Construction generated noise levels drop off at a rate of about 6 dBA per doubling of distance between the source and receptor.

The potential short-term noise impacts associated with construction would be reduced with the implementation of the proposed General Plan policies. Policy HS-6.8 requires reasonable noise reduction measures to be utilized during all phases of construction activity to minimize the exposure of neighboring properties to excessive noise levels. With the implementation of the proposed General Plan policies, this is a *less-than-significant* impact.

2. Cumulative Impacts

Cumulative noise impacts are considered as part of the project level analysis since a cumulative traffic model generated the future traffic projections used for the noise analysis. Therefore, cumulative impacts would be the same as project level impacts.

E. Impacts and Mitigation Measures

Impact NOI-1: Noise in Newman would increase significantly along many major roadways as development and population increase within the community. Although proposed General Plan policies and actions would help to mitigate traffic noise increases, they could remain significant and unavoidable in some areas with the adoption and implementation of the proposed General Plan policies and actions. This impact is *significant and unavoidable*.

4.11 POPULATION, HOUSING AND EMPLOYMENT

This section presents information on both existing and projected population, housing and employment within the City of Newman, and describes the effects of the proposed General Plan on these factors.

A. Regulatory Framework

1. City of Newman Housing Element

Housing in Newman is primarily addressed through the 2003 Housing Element, which is updated every five years in accordance with State law. The current Housing Element is not yet in need of an update and will not be included in the proposed General Plan.

B. Existing Conditions

The following provides a description of the current conditions with regard to population, housing and employment in the City of Newman. Similar to regional trends, Newman is experiencing a period of unprecedented change, including an increasing rate new home construction and rising home prices.

1. Population

In general, development throughout the Central Valley has been increasing rapidly, as people living in more expensive regions of California look for more affordable places to live. The population in Newman increased by 71 percent between 1990 and 2000 to 7,095.¹ Between 2000 and 2005 this growth has continued to increase from 3 percent per year to almost 12 percent per year. As of July 1, 2005 there were 9,623 residents in the City of Newman.²

¹ California Department of Finance estimate, December 2003, Housing Element.

² [4.11-1](http://factfinder.census.gov/servlet/DTTable?_bm=y&-context=dt&-ds_name=PEP_2005_EST&-mt_name=PEP_2005_EST_G2005_T001&-tree_id=100&-redoLog=true&-all_geo_types=N&-geo_id=16000US0651140&-search_results=04000US06&-format=ensus, 1990 and 2000, accessed August 18, 2006.</p></div><div data-bbox=)

According to the 2000 US Census, the median age in Newman in the year 2000 was 29 with 29.7 percent of the population between the ages of 25 and 44. Of the 7,168 residents recorded, 61 percent were white and 51 percent were Hispanic. Blacks, American Indians and Asians comprised 1.3, 1.3 and 1.8 percent of the population, respectively. As compared to Stanislaus County as a whole, Newman has a larger Hispanic population and smaller black population, although each by only a few percentage points.³ Table 4.11-1 depicts detailed population and household trends from 1990, 2000 and 2005.

2. Housing

Currently, Newman is comprised mainly of two types of housing stock: the older residential neighborhoods that surround the downtown area and the newer subdivisions of larger homes further out. According to the Housing Element, there were 2,336 residential housing units in Newman in 2003. Of these residential houses, 85.6 percent were detached single-family homes and 13.3 percent were attached single-family homes, such as townhouses. Data from the Department of Finance shows that in 2000, 19 percent of residences were in buildings with two to four units and 7.4 percent were residences with five or more units.⁴ Despite increasing demands for homes in Newman, housing prices are generally affordable. The median price for a single-family home in Newman was \$410,000 in 2005.⁵

³ Stanislaus River Valley Web site, <http://www.stanalliance.org/communities/stanislaus/demographics.html>, accessed on August 18, 2006.

⁴ QT-H10. Units in Structure, Householder 65 Years and Over, and Householder Below Poverty Level: 2000, http://factfinder.census.gov/servlet/QTTable?_bm=y&-geo_id=16000US0651140&-qr_name=DEC_2000_SF3_.

⁵ U_QTH10&-ds_name=DEC_2000_SF3_U&-redoLog=false, accessed August 22, 2006; Stanislaus River Valley Web site, <http://www.stanalliance.org/communities/stanislaus/demographics.shtml>, accessed on August 18, 2006.

TABLE 4.11-1 **POPULATION AND HOUSEHOLD TRENDS IN NEWMAN**

	1990	2000	2005	% Change 1990-2005
Population	4,151	7,093	9,100	119.2%
Housing Units	1,523 (11.5% vacant)	2,176 (4.5% vacant)	2,955 (4.4% vacant)	4.4%
Average Household Size	3.1	3.4	3.4	9.7%

	1990	2000	2003/2004	% Change 1990- 2003/2004
Households	4,158	7,027	7,697 ^a	85.1%
Median Household Income ^c	\$29,059 ^b	\$44,703	\$48,000 ^a	65.2%

^a As of 2003.

^b As of 1989.

^c <http://www.census.gov/hhes/www/income/cphls/cphl126f.html>, accessed August 18, 2006.
 Source: California Department of Finance estimate, December 2003, Housing Element.

3. Employment

According to the U.S. Census, County Business Patterns 2002, there were 1,108 employees within the 95630 ZIP code. Although the ZIP code does not match exactly with Newman boundaries, the data gives a good indicator of current area employment. As of 2002, there were 100 businesses in Newman, 71 percent of which were small, employing less than ten people. Just under half the local business establishments counted four or fewer employees, demonstrating that small businesses are at the heart of the local economy. Retail trade was the largest sector of local businesses, encompassing 19 percent of total establishments. The construction and accommodation and food services sectors follow, each making up ten percent. No other individual sector accounted for more than eight percent of the total local establishments.

a. Employed Residents

Employment information for the City of Newman is presented in Table 4.11-2 by industry sector and by the approximate number of employees.⁶ Newman residents are employed in a variety of jobs, including management, administration, retail, service, manufacturing and construction. In general, Newman residents are employed in a similar range of professions as workers in Stanislaus County or statewide. However, a noticeably higher proportion of Newman residents work in the agriculture and manufacturing industries: over 19 percent of employed Newman residents work in manufacturing, as compared to 15 percent of Stanislaus County workers and 13 percent of California workers, and over 14 percent of Newman workers are employed in agriculture or other extractive industries, as compared to under 6 percent of Stanislaus County workers and less than 2 percent of workers in the state.

b. Commute Patterns

According to the 2000 US Census, Newman had 2,768 residents in the labor force, of which 2,308 were employed. Of those employed, 2,165 commuted to work by driving alone or carpooling. The mean commute time was almost 37 minutes. Over the past 15 years, the commute times for many Newman residents have increased. According to an analysis of travel time to work using 1990 and 2000 Census data, approximately half of Newman's workforce was traveling more than 15 minutes to work in 1990. In 2000, this percentage increased to approximately 70 percent. Much of the increased travel time to work is attributable to employment opportunities within Stanislaus or Merced Counties (less than 1 hour to work), but there is also evidence of significant increases in travel to more distant employment centers, including the Santa Clara Valley and the Bay Area. In 2000, out of about 2,250 commuters, over 550, or almost one-quarter, of Newman commuters reported commute times of over 60 minutes. More than half of these reported commute times of 90 minutes or more. Among other things, this indicates a mismatch between

⁶ County Business Patterns does not report the specific number of employees within a given size category in order to protect data confidentiality for individual establishments.

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TABLE 4.11-2 **OCCUPATION AND INDUSTRY SECTOR OF EMPLOYED
 NEWMAN RESIDENTS, 2000 CENSUS**

Occupation	Number	Percent
Management, professional, and related	548	24
Sales and office	486	21
Production, transportation, and material moving	451	20
Service	306	13
Construction, extraction, and maintenance occupations	280	12
Farming, fishing, and forestry occupations	237	10
Total	2,308	
Industry		
Agriculture, forestry, fishing and hunting, and mining	333	14.4
Construction	100	4.3
Manufacturing	438	19
Wholesale trade	61	2.6
Retail trade	259	11.2
Transportation and warehousing, and utilities	139	6
Information	68	2.9
Finance, insurance, real estate, and rental and leasing	38	1.6
Professional, scientific, management, administrative, and waste management services	207	9
Educational, health and social services	415	18
Arts, entertainment, recreation, accommodation and food services	160	6.9
Other services (except public administration)	81	3.5
Public administration	9	0.4
Total	2,308	

the occupations of the majority of Newman residents and the types of jobs available in Newman.

C. Standards of Significance

The proposed project would have a significant impact with regard to population, housing and employment if it would:

- ◆ Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).
- ◆ Displace substantial numbers of existing housing units, necessitating the construction of replacement housing elsewhere.
- ◆ Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.
- ◆ Degrade the jobs/housing balance within the project area.

D. Impact Discussion

The following provides an assessment of the proposed General Plan's potential impacts related to population and housing.

1. Project Impacts

This section discusses the potential impacts of the proposed General Plan on population and housing in Newman. Implementation of the Plan could result in an increase in the number of dwelling units and population in the city. The proposed General Plan is designed to address the issues that come with growth and change by providing a policy framework to control and direct growth.

As housing opportunities increase, Newman is also working to provide new employment opportunities to maintain or improve the jobs/housing balance

and allow residents to work, shop and live in the community. The proposed General Plan also encourages a range of housing types to match the range of income levels of community residents. Overall, growth is limited to areas within and adjacent to the existing City limits to limit unnecessary infrastructure expansions, mitigate traffic impacts and protect surrounding agricultural lands.

a. Population Growth

Regional and statewide growth pressures will cause Newman to continue to grow into the future. The city has proven to be an attractive alternative to more expensive housing in neighboring cities and towns. Growth would occur with or without adoption of the proposed General Plan, since the existing 1992 General Plan already allows for growth in the City limits and most of the proposed SOI.

Development under the proposed General Plan would result in an estimated 8,773 new housing units for a total of 11,865 units at buildout. The estimated population at buildout of the proposed Plan would be 40,341 persons, an increase of 30,201 from 2006. Actual growth rates would depend on a variety of factors including, demographic, economic, and market conditions that could cause growth to occur faster or slower.

The proposed General Plan includes many policies that would accommodate growth in a planned and orderly fashion, focusing the highest intensities of development within existing urbanized areas. Development would either be severely restricted, or allowed at minimal densities on lands that are perceived as being environmentally constrained, or as valuable in terms of natural resources, scenic resources, and open space. The proposed General Plan calls for more detailed study and planning for areas that would be subject to considerable change or development on a larger scale, such as housing developments. All development projects must meet performance standards in terms of overall community benefit of the project and minimization of environmental impacts.

Goal LU-1 in the Land Use Element calls for growth to be managed to maintain the unique qualities and character of the town, with new development required to be compatible with Newman's existing scale and character. In addition, the proposed General Plan would require new development to be coordinated with the provision of services and infrastructure. Newly developing areas are subject to Policy LU-2.4 which requires the approval of Master Plans before annexation to the city.

In addition to the above policies, the Newman also has the 2003 Housing Element. This document considers projected future population, growth and housing demand, and seeks to increase the amount of housing that would be affordable to all sectors of the community.

The proposed General Plan would result in well-planned growth and would have *no impact* in terms of substantial, unplanned population growth.

b. Housing and Population Displacement

The implementation of the proposed General Plan would not create significant impacts related to the displacement of existing housing or population. The majority of development under the Plan would either occur in infill locations, on undeveloped parcels, or on parcels that can be subdivided. Therefore, implementation of the proposed General Plan would result in *no impact* in terms of the displacement of substantial numbers of existing housing units or people.

c. Employment and Job Growth

The proposed General Plan would allow for an estimated additional 1,304,000 square feet of commercial floor area and 4,281,000 square feet of industrial floor area, including a business park and additional retail and service commercial, and light industrial uses. Additional employment would be associated with these uses, providing jobs, as well as essential goods and services for Newman residents.

The proposed General Plan would accommodate projected growth by allocating land for residential and commercial uses. Policy LU-2.6 states that the City would promote the development of more employment uses that improve the city's current jobs-housing imbalance. Policy 2.4 requires that no more than 50 percent of a Master Plan Area planned for residential uses can be developed until at least 50 percent of the area planned for business park uses is developed. The proposed General Plan is expected to have a beneficial impact on employment and job growth in Newman.

2. Cumulative Impact

As discussed above, the proposed General Plan includes policies to control and direct growth in a well-planned manner, and would improve jobs and housing opportunities in the community. As a result, there would not be a significant or unavoidable project-level impact. Growth would also occur outside of Newman, in other nearby cities within Stanislaus County. Stanislaus County and other incorporated jurisdictions are required by State law to use the General Plan process, as well as other planning processes, such as utility master plans, to plan for and control future growth. As a result, there would not be a cumulative impact associated with unplanned growth. With regards to the jobs/housing imbalance in Stanislaus County, the proposed General Plan would contribute to a positive improvement in the jobs/housing balance with the contribution of additional employment opportunities. As a result, the proposed General Plan would not contribute to a significant cumulative impact.

E. Impacts and Mitigation Measures

Since no significant impacts were identified concerning housing and population as a result of the adoption and implementation of the proposed General Plan, no mitigation measures are required.

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4.12 PUBLIC SERVICES

This section presents information on existing public services in Newman, including police and fire protection, schools, libraries, and parks and recreation, and describes the potential effects of the proposed General Plan related to the provision of these services. The discussion is organized according to the type of community service, with each service analyzed individually. Figure 4.12-1 shows the location of the main public facilities identified in this section.

A. Police Protection

The following describes current conditions and potential impacts of the proposed project with regard to police services in Newman.

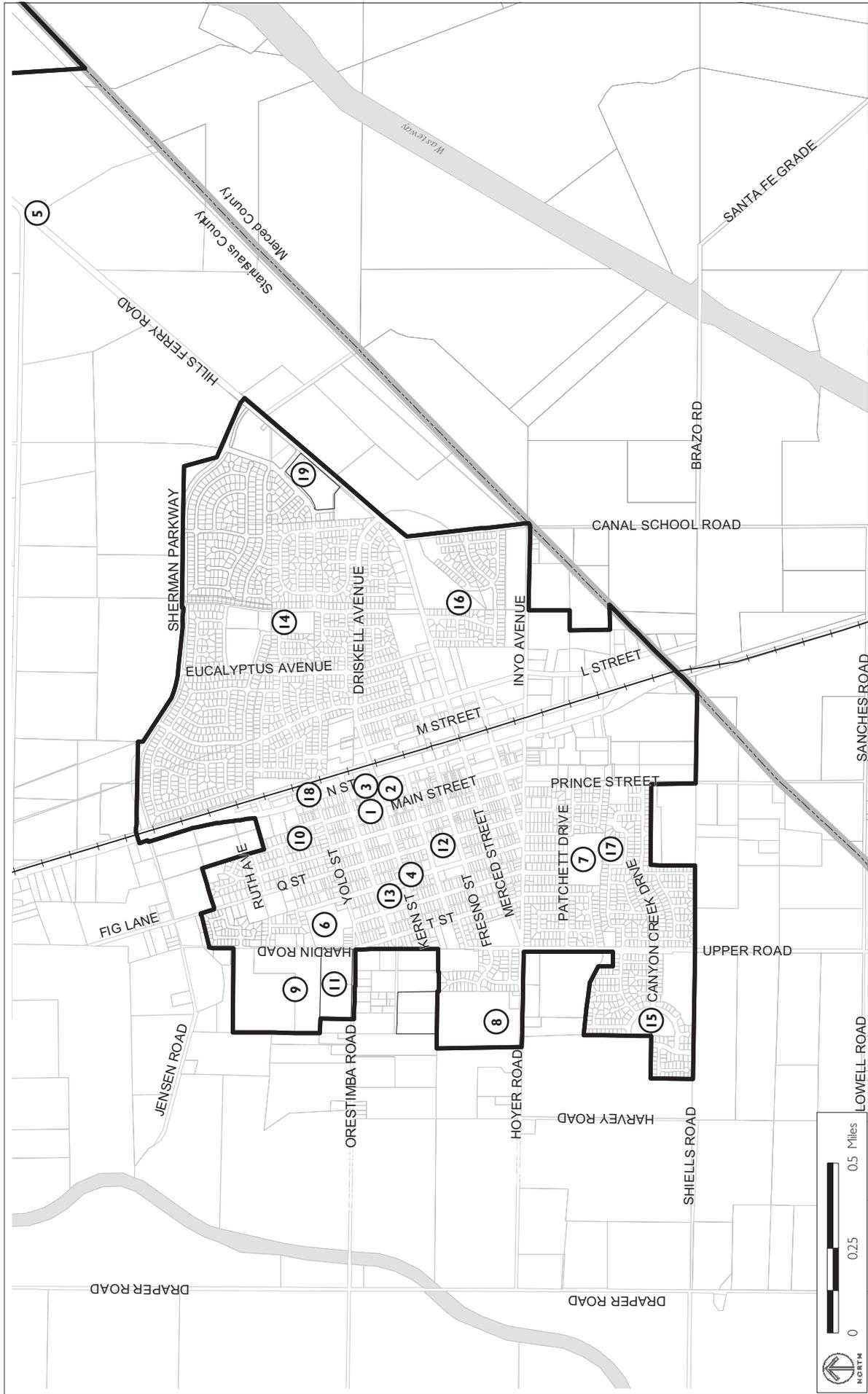
1. Existing Conditions

Police services are provided by the Newman Police Department within the city limits, and by the Stanislaus County Sheriff's Department in unincorporated areas. In practice, both the Police Department and Sheriff's Department provide frequent mutual aid and back-up services to each other. Police units are dispatched via the 911 system through the Stanislaus County Central Dispatch in Modesto.

a. Newman Police Department

The Newman Police Department provides law enforcement within the city limits. The police station is located at 1200 Main Street (Figure 4.12-1).

The department currently has 11 paid, sworn officers including one Chief and one Investigator. There are also two full-time and two part-time support staff. Until recently there was also a School Resources Officer. The school district is currently applying for a grant to be able to re-instate this position.¹ There is also a Reserve Corps of five officers and about eight people in the



- | | | | | |
|----------------------------|-------------------------------------|--|-----------------------------------|--|
| 1 City Hall | 5 Wastewater Treatment Plant | 9 Orestimba High School | 13 Densmore Park | 18 Copeland Park |
| 2 Police Department | 6 Hunt Elementary | 10 NCLUSD Alternative Education | 14 Hurd-Bargington Park | 19 Yancey Park |
| 3 Fire Department | 7 Von Renner Elementary | 11 Lions Park | 15 Alfred "Bush" Rose Park | 20 Amy Street/Driskell Avenue Tot Lot |
| 4 Library | 8 Yolo Middle School | 12 Pioneer Park | 16 Joe Borba Park | City Limit |
| | | | 17 Janet Carlsen Park | |

FIGURE 4.12-1

EXISTING PUBLIC FACILITIES

VIPS (Volunteer in Police Services) program who volunteer or run errands, and sometimes do patrol services.²

The Police Department uses five patrol vehicles. There is one patrol beat for the entire city. Staffing is usually one officer per patrol car. The staffing ratio is 1.1 officers per 1000 residents, and the target staffing ratio is 2 officers per 1000 residents, indicating that the City is not meeting its target with current staffing levels.³

Calls are prioritized so that violent or emergency calls receive priority. The average response time for these priority calls is four minutes. There is no stated standard or policy for response time.⁴ In 2004 there was one homicide, two robberies, 58 assaults, 49 burglaries, 131 larceny thefts and 37 car thefts.⁵

b. Stanislaus County Sheriff's Office

The West County Area Command of the Stanislaus County Sheriff's Office encompasses approximately 400 square miles from the north county line to the south county line, and west from Crows Landing Road to the west county line. The West County Area Command is home to the two incorporated cities of Patterson and Newman, and the three unincorporated communities of Westley, Grayson, and Crows Landing. The Patterson station serves as police headquarters for the City of Patterson, as well as the West County Area Command Sub-Station.

The unincorporated community of Crows Landing has a Sheriff's Department sub-station used by patrol deputies and volunteer staff. In addition, one

² Michael Brady, Chief, Newman Police Department. Personal communication with Michael Brilliot, DC&E. May 4, 2005.

³ Michael Brady, Chief, Newman Police Department. Personal communication with Michael Brilliot, DC&E. May 4, 2005.

⁴ Michael Brady, Chief, Newman Police Department. Personal communication with Allegra Churchill, DC&E. May 4, 2005.

⁵ Marge Ramirez, Crime Analyst, Stanislaus County Sheriff's Department. Personal communication with Michael Brilliot, DC&E. May 20, 2005.

deputy is assigned to the unincorporated community of Westley and another deputy, commonly referred to as the "five-beat deputy", patrols the remainder of the unincorporated areas in the West County Area Command including the unincorporated portion of Newman's Sphere of Influence (SOI). These deputies provide the Newman Police Department with back-up and mutual aid.

2. Standards of Significance

The proposed General Plan would have a significant impact related to police services if it would:

- ◆ Result in substantial adverse physical impacts associated with the provision of new or physically altered police service facilities; the need for new or physically altered police service facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police services.

3. Impact Discussion

a. Project Impacts

Growth allowed under the General Plan would result in an expected population increase of approximately 35,190 additional residents. Therefore, implementation of the proposed General Plan would result in an increased need for police service. The City would continue to provide police services within the city limits, which would eventually adjust to include lands annexed from the SOI in preparation for development. Based on the City policy of providing two officers per 1,000 residents, there would be an eventual demand for an additional 70 new officers to meet the needs of new development, not including the existing shortage of officers to meet the current population level. To support the additional officers, supplementary support staff, equipment and increased facility space may also be needed.

The proposed General Plan includes Policy PFS-8.1 to ensure an adequate level of police service over time in order to maintain a low occurrence of criminal activity in the community. To reduce the overall need for policing,

the proposed General Plan also includes Policy PFS-8.4, which encourages the use of physical site planning as an effective means of preventing crime, and Action PFS-8.1 which states that the City will continue to provide neighborhood security and crime prevention information and training to neighborhood groups and homeowners associations.

Because the General Plan is general in nature and the exact location and timing of future growth is yet to be determined, it is unknown at this time if existing police facilities will be adequate to support future development or if they will need to be expanded or supplemented. Public facilities are an allowed land use in most General Plan land use designations, so an expanded police station or a substation could be constructed wherever it would be most appropriate.

The specific environmental impact of constructing new police facilities to support the proposed General Plan cannot be determined at this first-tier level of analysis. However, development and operation of new facilities may result in potentially significant impacts that are addressed by various plans, policies and mitigation measures identified in other sections of this EIR. As specific police facility expansion projects are identified, additional project-specific, second-tier environmental analysis would be completed pursuant to CEQA.

b. Cumulative Impacts

Future regional growth would result in increased demand for police services throughout the County. However, as Newman would provide for additional police services within its own boundaries and would be required to address the potential impacts of development additional police facilities, as discussed above, the proposed General Plan would not contribute to a cumulative impact related to police services.

4. Impacts and Mitigation Measures

Since no impacts were identified, no mitigation measures are required. Policies and mitigation measures that are identified in other sections of this EIR

would also apply to any unforeseen impacts associated with the construction and operation of police service facilities.

B. Fire Protection

This section describes how fire and emergency medical services are provided in Newman and its SOI. It also analyzes the potential physical impacts associated with construction of new or expanded fire protection facilities to meet potential increases in demand.

1. Existing Conditions

Fire protection and emergency medical services in Newman are provided by the Newman Fire Department. Fire protection and emergency medical services in the unincorporated portion of its SOI are provided by the West Stanislaus County Fire Protection District. There is one shared station located at 1162 N Street, from which the Newman Fire Department generally responds to calls within the city limits and the District responds to unincorporated areas (Figure 4.12-1). The District and the Newman Fire Department provide mutual aid for each other and the volunteers in the Department also function as volunteers for the District. Ambulance and paramedic services are provided by the Westside Community Hospital District.

a. Newman Fire Department

The Newman Fire Department is a volunteer fire department, with about 30 volunteers and one part-time, paid position of Fire Chief. The fire station in Newman houses three City pumpers, two District pumpers, a new rescue engine jointly purchased by the Cities of Newman and Patterson and the West Stanislaus County Fire District, and a new District 4,000-gallon water

tender.⁶ Money for new equipment has been raised by the volunteers through barbecues and other activities.⁷

The average response time by the Newman Fire Department is 3 to 5 minutes for locations within the city limits.⁸ There is no stated policy on expected response times though an industry standard is generally 4 minutes. The City maintains an Insurance Services Office (ISO) rating of 3 on a scale of 1 to 10, with 1 being the best.⁹

b. West Stanislaus County Fire Protection District

The West Stanislaus Fire District is a volunteer fire department. The District has about 105 volunteers, including the 30 previously mentioned in Newman, and paid positions for District Fire Chief and two Division Chiefs. Patterson and the West District recently underwent a needs assessment which resulted in new paid positions and the restructuring of the District headquarters in Patterson into a joint City of Patterson and District fire station.

In addition to the station shared with the Newman Fire Department and Patterson Fire Department, the West Stanislaus Fire District also has stations in Westley, Crows Landing, El Solyo and Diablo Grande. The Diablo Grande station is a temporary facility, but is planned to become a permanent station by about 2007.

The stations in the West Stanislaus Fire District provide mutual aid for each other. They also provide mutual aid for other Fire Districts in Stanislaus County such as Woodland Avenue (Modesto), Salida, Westport and Moun-

⁶ Newman Fire Chief Mel Souza. Personal communication with Michael Brilliot, DC&E. April 29, 2005.

⁷ Newman Fire Chief Mel Souza. Personal communication with Michael Brilliot, DC&E. April 29, 2005.

⁸ Newman Fire Chief Mel Souza. Personal communication with Michael Brilliot, DC&E. April 29, 2005.

⁹ Charles A. Long Associates, 2002. *City of Newman Capital Facilities Fee Study*, page 18.

tain View Fire Districts. The County also has mutual aid agreements with the City of Tracy in San Joaquin County.

c. Westside Community Hospital District

The Westside Community Hospital District provides ambulance services to the Cities of Newman and Gustine, and the unincorporated communities of Stevinson and Santa Nella. The District has four ambulances total, two of which are always on duty with the other two used as back-up. While the District used to operate a full service hospital, this hospital closed in the 1990s. Patients are now driven by District ambulances to hospitals in Turlock, Tracy, Modesto or Los Banos.¹⁰

2. Standards of Significance

The proposed General Plan would have a significant impact related to fire protection and emergency services if it would:

- ◆ Result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire services.

3. Impact Discussion

a. Project Impacts

If new development occurs pursuant to the proposed General Plan, there would be increased demand for fire and emergency medical protection to ensure adequate levels of service and maintain current response times. Additional staff, equipment and facilities would also be required to maintain or exceed current response times. The actual location of new and expanded facilities will depend on the pattern of growth that occurs in the city limits and proposed SOI, which is not known at this time. However, fire and emer-

¹⁰ Coelho, Chuck, Director, Westside Community Hospital District. Personal communication with Michael Brilliot, DC&E. July 27, 2006.

gency response facilities would be allowed in most proposed General Plan land use designations.

Recognizing that there would be an increased demand for fire and emergency medical response, the General Plan includes several policies to support the activities of the Newman Fire Department and other service providers. For example, Policy PFS-9.2 addresses the need to grow the department from a predominately volunteer fire department into a department with full time staff as the city grows. Policy PSF-9.3 also states that the City will continue to maintain the existing mutual aid agreement with the West Stanislaus County Fire Protection District.

To reduce the overall need for fire protection, the City will enforce all relevant fire and building codes and ordinances (Policy HS-3.4), will inspect all commercial and industrial buildings annually (Action HS-3.1) and will ensure that new development includes, where appropriate, fire-resistant landscaping and building materials (Policy HS-3.6). The City shall also require property owners to remove fire hazards, including vegetation, hazardous structures and materials, and debris (Policy HS-3.5).

The specific environmental impact of constructing new fire and emergency medical facilities to support the General Plan cannot be determined at this first-tier level of analysis, since the specific locations of new fire facilities is unknown at this time. However, development and operation of these facilities may result in potentially significant impacts that are addressed by various plans, policies and mitigation measures identified in other sections of this EIR. As specific fire and emergency response facility expansion projects are identified, additional project-specific, second-tier environmental analysis would be completed.

b. Cumulative Impacts

Future regional growth would result in increased demand for fire protection services throughout the County. However, as Newman would provide for additional fire protection services within its own boundaries and would be

required to address the potential impacts of development additional fire stations, as discussed above, the proposed General Plan would not contribute to a cumulative impact related to fire protection services.

4. Impacts and Mitigation Measures

Since no impacts were identified, no mitigation measures are required. Policies and mitigation measures that are identified in other sections of this EIR would also apply to any unforeseen impacts associated with the construction and operation of fire protection and emergency medical response facilities.

C. Schools

The existing conditions regarding schools in Newman is addressed in this section, as well as potential physical impacts associated with the provision of expanded school services to meet future demand.

1. Existing Conditions

The Newman-Crows Landing Unified School District (NCLUSD) provides kindergarten through 12th grade education for students living in Newman and the communities of Crows Landing, Diablo Grande and the surrounding agricultural areas.

The City of Newman has two elementary schools (grades K-5), one middle school (grades 6-8) and one high school (grades 9-12), as well as several alternative education programs within the NCLUSD. These schools are shown in Figure 4.12-1 and described below.

- ◆ Hunt Elementary, 907 R Street, Newman
Enrollment 2005 -2006: 503
Capacity: 503
- ◆ Von Renner Elementary, 1388 Patchett Drive, Newman
Enrollment 2005 -2006: 602
Capacity: 800 (Capacity includes State emergency portable class rooms.)

- ◆ Yolo Middle School, 901 Hoyer Road, Newman
Enrollment 2005 -2006: 616
Capacity: 700
- ◆ Orestimba High School, 707 Hardin Road, Newman
Enrollment 2005 -2006: 710
Capacity: 850 (Capacity includes State emergency portable class rooms.)
- ◆ Newman-Crows Landing Alternative Education, 890 Main Street, Newman
This school provides resources for independent and home-school students. It also offers GED classes for adults.
- ◆ Community Day School
The Community Day School is a program for about 40 junior high and high school students who cannot be accommodated in the regular programs. One group of students meets in the band room at Hunt Elementary School. The high school students currently meet in two portable classrooms at the District Office at 890 Main Street, Newman.

The NCLUSD uses a student generation rate of 0.69 students per household to estimate future student populations based on future development. The NCLUSD has purchased an 11.25-acre property within the Hearthstone Ranch subdivision for a new elementary school. However, the bond issue for the new school did not pass in November 2005, so construction is not moving forward at this time. When completed, the school will have a capacity of approximately 600 students. To accommodate additional student growth, new classrooms will be built at Yolo Middle School in the next five years, and modernization and new classroom construction is complete at Orestimba High School.¹¹

¹¹ Mendoza, Caralyn, Director of Fiscal Services, Newman Crows Landing Unified School District. Personal email communication with Michael Brilliot, DC&E. June 7 and 8, 2006.

A portion of the funding to construct new school facilities comes from development impact fees. The present fees levied by the NCLUSD are \$2.74 per square foot of new residential construction and \$.42 per square foot of new commercial or industrial construction.¹²

2. Standards of Significance

The proposed General Plan would have a significant impact related to schools if it would:

- ◆ Result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, need for new or physically altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives for school services.

3. Impact Discussion

a. Project Impacts

Implementation of the proposed General Plan would increase demand for school facilities. Additional staff and equipment would also be required to maintain or exceed the current school service standards. Based on the NCLUSD student generation factor of 0.69 students per household and the expected increase of about 10,350 additional residential units under the proposed General Plan, there would be an increase of approximately 7,142 new students, who would require additional school facilities. Other than the one planned elementary school within the Hearthstone Ranch subdivision, the actual location of new and expanded facilities to serve these additional students is not known at this time. School facilities are allowed in most General Plan land use designations, and therefore can be constructed at a variety of locations. However, as discussed below, schools will probably be located in residential areas to be in proximity to the student population. All new resi-

¹² Mendoza, Caralyn, Director of Fiscal Services, Newman Crows Landing Unified School District. Personal email communication with Michael Brilliot, DC&E. August 24 and 25, 2006.

dential commercial and industrial development will be required to pay school impact fees to help pay for the construction of school facilities that are needed to serve the increase in school children generated from new development.

The proposed General Plan includes policies and actions to work with the NCLUSD to provide for adequate and well designed public school facilities to meet future demand. As a result of Policies PFS-10.1, PFS-10.2, PFS-10.3, PFS-10.4, and PFS-10.5, the City would work with the NCLUSD to plan for, finance and develop adequate school facilities to meet the needs of existing and future development. Newman will also provide the NCLUSD with the opportunity to review residential development proposals to assist the City in assessing the potential impacts on schools (Policy PSF-10.6).

The specific environmental impact of constructing new school and related facilities to support the proposed General Plan cannot be determined at this first-tier level of analysis. However, development and operation of schools facilities, both public and private, may result in potentially significant impacts that are addressed by various plans, policies and mitigation measures identified in other sections of this EIR. As specific school expansion or improvement projects are identified, additional project-specific, second-tier environmental analysis would be completed.

b. Cumulative Impacts

Future regional growth would result in increased demand for additional school facilities within the NCLUSD. While the majority of the demand for schools would result from growth within Newman, as is addressed above, there may be demand for new school facilities outside of Newman. However, as with the proposed General Plan project-level analysis, it is unknown exactly where these school facility expansions would occur to support the cumulative increase in population, though they would occur within urbanized areas where there is a concentration of population. As specific school expansion or improvement projects are identified, additional project-specific, second-tier environmental analysis would be completed. As a result, a significant cumulative impact associated with schools would not occur.

4. Impacts and Mitigation Measures

Since no impacts were identified, no mitigation measures are required. Policies and mitigation measures that are identified in other sections of this EIR would also apply to any unforeseen impacts associated with the construction and operation of schools or school facilities.

D. Library Services

This section addresses the provision of existing and future library services within Newman related to implementation of the proposed General Plan.

1. Existing Conditions¹³

Newman is a member of the Stanislaus County Library system. Its local branch, the Newman Public Library is located at 1305 Kern Street, as shown on Figure 4.12-1. Stanislaus County Library cards are free of charge and can be used by Newman residents at any of the 13 County branches. Other nearby branches are located in Patterson, Turlock and Keyes.

The Newman library is one of the most widely used branches in the County library system. Its usage rate is above average for the size and population of the community. Approximately 66 percent of Newman residents, or 5,574 people, have active library cards, in comparison to a county average of 53 percent. In addition to patrons from Newman and nearby parts of Stanislaus County, patrons come from Gustine and Los Banos in Merced County. There were 41,000 items circulated in fiscal year 2002-2003, and 35,477 in 2003-2004.

In 1995, voters in Stanislaus County approved an eight-of-a-cent sales tax increase to support the County Library system. Both in 1999 and again in 2004, residents voted to extend the tax collection. It is scheduled for applica-

tion through 2013 and will be reconsidered as the expiration date draws near. Currently the sales tax funds 75 percent of the County Library System's budget and has helped the Newman Public Library increase its level of service. Given projected growth in the west valley, it is anticipated that the Newman library will merit expansion in approximately 2013.

2. Standards of Significance

The proposed General Plan would have a significant impact related to libraries if it would:

- ◆ Result in substantial adverse physical impacts associated with the provision of new or physically altered library facilities, need for new or physically altered library facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives for library services.

3. Impact Discussion

a. Project Impacts

With the increased population that would be allowed under the proposed General Plan, there would be an increased demand for library services. Since the Stanislaus County Library system has not recently completed a comprehensive study estimating demand, it is difficult to discern if additional facilities would be needed to support the proposed General Plan. It may be that the existing facility would continue to provide adequate service with the addition of new books or expansion of the hours of operation, or it is possible that the existing facility would need to be expanded or a new facility constructed. If additional space is needed, libraries are allowed under most General Plan land use designations, and can therefore be constructed at a variety of locations. However, the library would probably stay in the downtown area since it is a centralized location for the community.

¹³ Newman Branch Profile 03/04. Faxed from the City of Newman, May 13, 2005.

Recognizing the need to provide adequate library services to Newman residents, the proposed General Plan includes policies and action to address the provision of library service. Policy PFS-11.1 states that the City would continue to work with the Stanislaus County Library system to ensure that adequate funding is available to continue the level of service currently provided by the Newman Library. Policy PFS-11.2 states that the City will assist the Stanislaus County Library with identifying new locations for additional library facilities if new facilities are needed as the city grows. In addition, Action PFS-11.3 states that the City would support the Stanislaus County Library efforts to renew the county-wide sales tax increment that finances the library system.

The specific environmental impact of constructing new library facilities to support the proposed General Plan cannot be determined at this first-tier level of analysis. However, development and operation of library facilities could result in potentially significant impacts that are addressed by various plans, policies and mitigation measures identified in other sections of this EIR. As specific library expansion or improvement projects are identified, additional project-specific, second-tier environmental analysis would be completed.

b. Cumulative Impact Discussion

Future regional growth would result in increased demand for library facilities throughout the County. As a result, the Stanislaus County Library system would probably need to expand library facilities to meet the increased demand. The countywide sales tax would help to fund these improvements. However, as with the proposed General Plan project-level analysis, it is unknown exactly where these library facility expansions would occur to support the cumulative increase in population, though they would occur within urbanized areas where there is a concentration of population. As specific library expansion or improvement projects are identified, additional project-specific, second-tier environmental analysis would be completed. As a result, a significant cumulative impact associated with libraries would not occur.

4. Impacts and Mitigation Measures

Since no impacts related to library services were identified as a result of the proposed General Plan, no mitigation measures are required. Policies and mitigation measures that are identified in other sections of this EIR would also apply to any unforeseen impacts associated with the construction and operation of the library system and related facilities.

E. Parks and Recreational Facilities

This section focuses on recreational facilities in Newman. A description of existing facilities is given, as well as an analysis of the potential project-related impacts related to future demand for recreational facilities.

1. Existing Conditions

The Newman Parks and Recreation Department organizes sports activities and programming in the City's parks and recreation facilities. Parks are maintained by the City's Department of Public Works. The following provides an overview of the city's recreational resources.

a. Park Standard

A sufficient supply of park land is important to maintain community livability. The City has actively pursued park land acquisition and development to meet community needs as the city grows. The City has a standard of 5 acres of developed City park land per 1,000 residents.

b. Existing Parks

A variety of different park lands and facilities are needed to serve the diverse needs of the community. The City's parks include large community parks, mid-sized neighborhood parks, and small mini-parks/playgrounds. Existing parks are shown in Figure 4.12-1 and described below.

i. Community Parks

Community parks usually consist of larger sites that provide a mix of active and passive recreational activities for the entire community.

- ◆ Lions Park is a 6-acre community park at the northwest corner of Orestimba Road and Hardin Road. The park includes a skateboard park, a teen center, a wading pool, a community center, a lighted baseball field and a playground. It is next to Orestimba High School and also has access to the school playing fields.
- ◆ Pioneer Park is a community park covering the entire 2.9-acre block between Fresno and Tulare Streets and R and Q Streets in the downtown. It features picnic tables, barbecue areas, a concession stand, a pavilion, covered dining areas and a playground.
- ◆ **Densmore Park**, a community park commonly called Library Field, is also located downtown. It is next to the Library between Kern and Mariposa Streets and R and S Streets, and contains a small baseball diamond and open space for soccer.
- ◆ **Hurd-Barrington Park** is a community park on Barrington Avenue. It has a concession stand and restroom facilities, a basketball court, two small baseball diamonds and a playground.

ii. Neighborhood Parks

Neighborhood parks are smaller in size and host basic recreational activities for people within a ¼- to ½-mile radius.

- ◆ **Alfred “Bush” Rose Park**, located on Park Circle in the new Stephens Ranch subdivision, has a play structure and playfield.
- ◆ **Joe Borba Park** in Lucas Ranch has a play structure and a basketball half-court.
- ◆ **Janet Carlsen Park** is on Canyon Creek Drive next to Von Renner Elementary School.

iii. Mini-Parks

Mini-parks are small parks, typically less than one acre in size, that provide recreational activities generally used by the local neighborhood or subdivision.

- ◆ **Copeland Park**, located at Yolo Street and Highway 33, has picnic tables.
- ◆ **Yancey Park**, on Duck Blind Circle in Lucas Ranch, has a play structure.
- ◆ **Amy Street/Driskell Avenue Tot Lot** at the Amy Street/Driskell Avenue intersection contains playground equipment.

c. Planned Parks

Ray Sherman Park, a recently completed community park in the Sherman Ranch subdivision at Hills Ferry Road and Sherman Parkway, will soon open for public use. Another community park, Mariposa Park, is planned for two parcels behind Yolo Middle School.

d. Recreational Programs

A variety of programs for youth and adults are organized through the Parks and Recreation Department, including youth soccer, youth basketball, adult basketball, swimming lessons and water aerobics classes. The Department also runs the Youth Center at 831 Hardin Road, which is open weekday afternoons for 6th to 12th graders.

e. Regional, State and Federal Parks

Regional and State parks, and federal lands near Newman offer additional recreational and wildlife-viewing opportunities.

- ◆ **Frank Rains Regional Park** is a Stanislaus County Park in Del Puerto Canyon west of I-5. It offers biking, walking and picnic facilities.
- ◆ **Hagaman County Park** is a 74-acre Merced County Park with fishing, boating and picnicking on the Merced River approximately 15 miles east of Newman.

- ◆ **George Hatfield State Recreation Area** offers camping, boating, picnicking, and fishing on 46 acres on the Merced River four miles east of Newman on Hills Ferry Road.
- ◆ **San Luis National Wildlife Refuge (NWR) Complex** is the largest preserve in the Central Valley, located approximately 15 miles south of Newman in Merced County. The San Luis NWR Complex comprises the 26,600-acre San Luis NWR, the 8,200-acre Merced NWR, the 12,800-acre San Joaquin River NWR and the Grasslands Management Area. The Complex is mostly marshland and native grasslands, and contains both managed grazing lands and wildlife refuge areas. The area is popular for wildlife observation, study and photography, and waterfowl hunting. The protected tule elk and endangered San Joaquin kit fox are among the species observed.

f. School Facilities

The Newman-Crows Landing Unified School District (NCLUSD) serves the City of Newman and the communities of Crows Landing, Diablo Grande and the surrounding agricultural areas. The NCLUSD has three elementary schools, one middle school and a high school. School district facilities and programs are available to the larger public and help meet the community's parks and recreational needs.

g. Private Recreational Resources

Private recreational resources in Newman include the Swamp Rats shooting range and the Fisherman's Bend campground on the San Joaquin River.

2. Standards of Significance

The proposed General Plan would have a significant impact to recreational resources if it would:

- ◆ Increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated.

- ◆ Result in substantial adverse physical impacts associated with the provision of new or physically altered parks or recreational facilities, need for new or physically altered parks or recreational facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable performance objectives for parks or recreational facilities.

3. Impact Discussion

a. Project Impacts

New development under the proposed General Plan has the potential to increase the demand for parks and recreational facilities. The Plan includes a policy of providing five acres of parkland for every new 1,000 residents (Policy RC-1.1), as allowed under the Quimby Act. Based on the expected 2030 population of about 45,703 persons, there would be a need to provide a total of 229 acres of parkland to maintain this policy. Without additional park acreage, there could be an increase in the use of existing neighborhood and regional parks or other recreational facilities, which could deteriorate the existing facilities.

The General Plan includes policies and actions to ensure that the City's parkland goal is met and existing facilities are not negatively impacted by future growth. Policy RC-1.2 requires new development to contribute towards meeting the City's parkland of 5 acres per 1,000 residents by dedicating land, dedicating improvements or paying in-lieu fees or a combination of these. Action RC-1.1 requires the City to continue to adopt and implement a Parks Master Plan and update it on a regular basis. As a result the proposed General Plan would not significantly impact existing parks and recreation facilities.

The proposed General Plan identifies general locations for two new recreation and transportation facilities: regional trails along the CCID Canal and the Union Pacific Railroad Actions (RC-1.3 and 1.4). However, the General Plan does not identify the specific location and design of these facilities. Other than one new park already planned to be located on two properties north of Yolo Middle School, the General Plan also does not identify where future parks will be constructed; however, parks are an allowed use in all land

use designations and will most likely be located in residential areas where they would be close to the primary users of parks. No Master Plan or Environmental Clearance has been developed yet for the future park north of Yolo Middle School.

As a means to further the recreational opportunities in Newman, the proposed General Plan also includes Action RC-1.2 which states that the City will maintain a joint use agreement with the NCLUSD to allow for the joint design and operation of recreational facilities. The proposed Plan also includes a policy that the City will support the efforts of outside agencies to develop regional park and recreation facilities that serve the residents of Newman. To minimize the impacts of new parks, the General Plan includes Policy RC-1.10, which state that new high-activity-level parks and parks intended for night time uses shall be designed to buffer surrounding existing and planned residential uses from excessive noise, light and other potential nuisances.

The specific environmental impact of constructing new park or recreation facilities to support the proposed General Plan cannot be determined at this first-tier level of analysis; however, development and operation of park facilities may result in potentially significant impacts that are addressed by various plans, policies and mitigation measures identified in other sections of this EIR. As specific park and recreation facility expansion projects are identified, additional project-specific, second-tier environmental analysis would be completed.

b. Cumulative Impacts

Future regional growth would result in increased demand for park and recreational facilities throughout the County. As a result, the County and other jurisdictions would need to expand and construct additional parks and other recreational facilities to meet the increased demand. State law allows jurisdictions to require additional development to fund park improvements, which would ensure the provision of adequate parklands. However, as with the proposed General Plan project-level analysis, it is unknown exactly where

these parks and recreational facilities would occur to support the cumulative increase in population. As specific parkland expansion or improvement projects are identified, additional project-specific, second-tier environmental analysis would be completed. As a result, a significant cumulative impact associated with parks and recreational facilities would not occur.

4. Impacts and Mitigation Measures

Since no impacts were identified, no mitigation measures are required. Policies and mitigation measures that are identified in other sections of this EIR would also apply to any unforeseen impacts associated with the construction and operation of park or recreational facilities.

CITY OF NEWMAN
GENERAL PLAN PUBLIC REVIEW DRAFT EIR
PUBLIC SERVICES

4.13 TRANSPORTATION

This section addresses the potential transportation related impacts of the proposed General Plan. The first part of the section discusses the existing conditions, while the last part of the section analyzes the potential transportation impacts. A traffic study was prepared by KdANDERSON Transportation Engineers, and was used to prepare this section. A full version of the traffic study is included in Appendix B.

A. Regulatory Framework

The City of Newman has adopted parking standards in its Zoning Ordinance which identify required parking ratios for various land use types to ensure adequate on-site parking is provided for new development.

B. Existing Conditions

The following summarizes the existing conditions within the Newman city limits and Sphere of Influence (SOI), as well as provides an overview of the assumptions used for the traffic analysis.

1. Roadway System

The following provides an overview of the existing street system serving Newman, as well as a discussion of the model assumptions used for the traffic analysis.

a. Existing Roadway System

The network of roadways in and around Newman consists of arterials, collectors and local streets. The closest major highway, Interstate 5, is located approximately 5 miles west of Newman and is accessed via Stuhr Road. The City of Newman's Roadway System is comprised of arterials, collectors and local streets, all of which are two-lane with one lane in each direction.

- ◆ **Arterials.** Arterials are major thoroughfares that provide the primary routes across Newman and connect the city with surrounding cities as

well as with adjacent major highways. The existing arterials include State Highway 33, Hills Ferry Road, Merced Road, a portion of Hardin Road and Sherman Parkway.

State Highway 33, which is also designated as N Street within Newman, bisects the city, running north to Patterson and south to Gustine. Hills Ferry Road runs northeast from Newman and is the primary route into Newman from the east. At Highway 33, Hills Ferry Road becomes Merced Street, an arterial that also runs northeast to southwest through the historic downtown core. At the intersection with Hardin Road, Merced Street then becomes Hoyer Road. While Hoyer Road is planned to be developed into an arterial all the way to Drapper Road, it is currently a two-lane farm road west of Yolo Middle School. A relatively new arterial is Sherman Parkway, which is located on the northern city limit and connects Highway 33 to Hills Ferry Road.

- ◆ **Collector.** Collectors are intermediary streets that link local streets to arterials. Existing collector streets in downtown Newman include Yolo, Kern, T and Q Streets. Inyo Street is also a collector in downtown that runs east across Highway 33 to Canal School Road. In the northeast portion of Newman, the north south collectors include Eucalyptus Avenue and Balsam Drive with an east-west connection provided by Driskell Avenue. The relatively new neighborhoods in the southwest portion of the city are served by Canyon Creek Drive, a collector which connects with Upper Road and Prince Street; two roadways planned to be developed into arterials.
- ◆ **Local Streets.** Local streets provide access to properties and connect to collectors and arterials. The remainder of the streets in Newman are local streets. The local streets located within the downtown and the mature neighborhoods built between World War II and the 1970's are generally built in a grid pattern that provides direct access to surrounding neighborhoods and streets, including collectors and arterials. The more recent residential developments, built since the 1970's, are generally built on a curvilinear street pattern with multiple cul-de-sacs and fewer local streets. These newer communities therefore have less direct connections

within the neighborhood and less access to surrounding neighborhoods and streets.

b. Level of Service Thresholds – Daily Traffic Volumes

To describe current traffic conditions and address long term circulation needs, it is necessary to compare existing traffic volumes and future forecasts to Level of Service (LOS) thresholds employed by applicable planning agencies. "LOS" is a qualitative measure of traffic operating conditions whereby a letter grade, "A" through "F", corresponding to progressively worsening traffic operating conditions, is assigned to an intersection or roadway segment. The City of Newman uses LOS "C" as the applicable design standard. However, recognizing that there are constraints within the existing circulation system, the proposed General Plan Policy TC-1.1 does allow for a LOS lower than C for Merced Street downtown and State Route 33.

LOS can be calculated in several ways. For planning purposes, generalized thresholds that equate daily traffic volumes to probable peak hour LOS are often employed. Newman makes use of generalized LOS thresholds derived from the 2000 Traffic Impact Fee Program traffic study, as presented in Table 4.13-1. Daily traffic volumes within each range would be likely to deliver the associated LOS during peak hours. However conditions during non-peak hours would typically be better.

c. Intersection Levels of Service

As development occurs and roadway facilities are designed, more sophisticated methodologies are employed to equate traffic flow to operating LOS. Because the overall quality of traffic flow in urban areas is usually governed by the operation of major intersections, evaluation of the intersection LOS occurring during peak commute hours is conducted. While this level of

TABLE 4.13-1 **GENERAL LOS THRESHOLDS BASED ON TRAFFIC IMPACT FEE STUDY**

LOS	V/C	Classification				
		Arterial Street				Collector Street
		State Highway		City Street		
		Four-Lane	Two-Lane	Four-Lane	Two-Lane	Two-Lane
A	<0.60	<21,000 – 24,000	<10,500 – 12,000	<18,000 – 22,800	<9,000 – 11,400	9,000
B	<0.70	<24,500 – 28,000	<12,250 – 14,000	<21,000 – 26,600	<10,500 – 13,300	10,500
C	<0.80	<28,000 – 32,000	<14,000 – 16,000	<24,000 – 30,400	<12,000 – 15,200	12,000
D	<0.90	<31,500 – 36,000	<15,750 – 18,000	<27,000 – 34,200	<13,500 – 17,600	13,500
E	<1.00	<35,000 – 40,000	<17,500 – 20,000	<30,000 – 38,000	<15,000 – 19,000	15,000

Source: KdANDERSON Transportation Engineers, 2006.

analysis is beyond the requirements of long range planning for general plan buildout, evaluation of current intersection traffic operations provides additional background regarding the existing circulation system.

The procedures contained in the 2000 Highway Capacity Manual (HCM) are the basis for determining intersection LOS. The HCM makes use of the concept of Average Delay to categorize various LOS, and Table 4.13-2 summarizes the LOS characteristics of various intersection types.

d. Existing Traffic Conditions

As part of the General Plan Update, new traffic counts were conducted at locations on the arterial and collector street system in Newman. This sample of current traffic volumes was intended to look at those roads which already carry major traffic volumes and which are expected to carry high traffic volumes in the future. These counts were conducted in May 2005. Data for

TABLE 4.13-2 LOS DEFINITIONS – INTERSECTIONS

LOS	Signalized Intersection	Unsignalized Intersection	Roadway (Daily)
“A”	Uncongested operations, all queues clear in a single-signal cycle. Delay ≤ 10.0 sec.	Little or no delay. Delay ≤ 10 sec/veh.	Completely free flow.
“B”	Uncongested operations, all queues clear in a single cycle. Delay > 10.0 sec and ≤ 20.0 sec.	Short traffic delays. Delay > 10 sec/veh and ≤ 15 sec/veh.	Free flow, presence of other vehicles noticeable.
“C”	Light congestion, occasional backups on critical approaches. Delay > 20.0 sec and ≤ 35.0 sec.	Average traffic delays. Delay > 15 sec/veh and ≤ 25 sec/veh.	Ability to maneuver and select operating speed affected.
“D”	Significant congestion of critical approaches but intersection functional. Cars required to wait through more than one cycle during short peaks. No long queues formed. Delay > 35.0 sec and ≤ 55.0 sec.	Long traffic delays. Delay > 25 sec/veh and ≤ 35 sec/veh.	Unstable flow, speeds and ability to maneuver restricted.
“E”	Severe congestion with some long standing queues on critical approaches. Blockage of intersection may occur if traffic signal does not provide for protected turning movements. Traffic queue may block nearby intersection(s) upstream of critical approach(es). Delay > 55.0 sec and ≤ 80.0 sec.	Very long traffic delays, failure, extreme congestion. Delay > 35 sec/veh and ≤ 50 sec/veh.	At or near capacity, flow quite unstable.
“F”	Total breakdown, stop-and-go operation. Delay > 80.0 sec.	Intersection blocked by external causes. Delay > 50 sec/veh.	Forced flow, breakdown.

Note: Overall LOS for unsignalized intersections is average delay experienced by all motorists. Sources: 2000 *Highway Capacity Manual*, Transportation Research Board (TRB) Special Report 209.

State Route 33 was taken from annualized Caltrans data for the most recently reported year (2005). Count locations and an index to study intersections are presented in the Study Intersections figure in Appendix B, while these counts are tabulated presented in Table 4.13-3.

As shown, the current daily traffic volume on most of these roads falls within the LOS C standard, indicating that current traffic conditions in the community are good. Of these count locations the highest volume was observed on State Route 33, Merced Street and Hills Ferry Road. Each of these streets carries volumes in excess of 6,000 ADT. However, the observed volumes on these roads are indicative of LOS A conditions on a two-lane arterial or collector road. LOS A conditions are projected on all other study area streets.

e. Current Peak Hour Intersection Levels of Service

AM (7:00 to 9:00 a.m.) and PM (4:00 to 6:00 p.m.) peak hour LOS were also determined for several major intersections in Newman. Traffic counts for these calculations were also collected from May 9 to 11, 2005. In each case the “overall” LOS for all motorists has been determined for signalized intersections and for intersections controlled by all-way stops. At intersections controlled by stop signs, the identified LOS is the movement experiencing the “worst case” LOS. This is typically experienced by motorists waiting to make left turns onto the major street.

As shown in Table 4.13-4, the overall LOS at each location controlled by an all-way stop or signal is LOS C or better. At intersections controlled by side street stop signs, longest delays occur at the State Route 33/Inyo Avenue intersection. Motorists waiting to turn onto State Route 33 experience delays that are indicative of LOS D conditions during the morning peak hour.

The need for traffic signals at intersections is another consideration in evaluating intersection operations. The extent to which current traffic volumes satisfy Caltrans’ peak hour warrants for installing traffic signals have also been considered. Of the unsignalized intersections included in this analysis, the State Route 33/Inyo Avenue intersection is the closest to meeting traffic sig-

TABLE 4.13-3 **CURRENT LOS BASED ON DAILY TRAFFIC VOLUME**

#	Street	From	To	Class	Lanes	Daily Volume	LOS
1	West Stuhr Rd	Hale Rd	SR 33	Arterial	2	2,650	A
2	East Stuhr Rd	SR 33	Hills Ferry Rd	Arterial	2	900	A
3	Jensen Rd	Fig Lane	SR 33	Arterial	2	350	A
4	Banff Dr	Balsam Dr	Bunting Lane	Local	2	450	A
5	Orestimba Rd	Draper Rd	Hardin Rd	Arterial	2	600	A
6	Fig Lane	Lucille Ave	Yolo St	Collector	2	750	A
7	Yolo St	Real Ave	Lee Ave	Arterial	2	3,900	A
8	Main St	Mariposa St	Kern St	Local	2	1,100	A
9	Balsam Dr	Foxglove Ave	Waxwing Lane	Collector	2	2,050	A
10	Eucalyptus Ave	Goldenrod Lane	Waxwing Lane	Collector	2	1,300	A
11	Branington Ave	Bobolink Ave	Sumac Lane	Collector	2	1,150	A
12	Kern St	SR 33	M St	Collector	2	5,500	A
13	T St	Kern St	Tulare St	Collector	2	2,050	A
14	Draper Rd	Orestimba Rd	Hoyer Rd	Arterial	2	1,200	A
15	Fresno St	Fig Lane	Real Ave	Local	2	1,200	A
16	Hoyer Rd	Harvey Rd	Silva Ave	Arterial	2	950	A
17	Inyo Ave	S St	R St	Collector	2	2,800	A
18	Merced St	Real Ave	Main St	Arterial	2	2,900	A
19	Merced St	SR 33	M St	Arterial	2	6,800	A
20	Hills Ferry Rd	Driskell Ave	East Stuhr Rd	Arterial	2	6,000	A
21	Stanislaus St	SR 33	M St	Local	2	150	A
22	Inyo Ave	SR 33	M St	Collector	2	1,650	A
23	L St	Stanislaus St	Inyo Ave	Local	2	350	A
24	Upper Rd	Patchett Dr	Corgiat Dr	Arterial	2	3,050	A
25	Prince St	Inyo Ave	Strawbridge Dr	Arterial	2	2,450	A

TABLE 4.13-3 CURRENT LOS BASED ON DAILY TRAFFIC VOLUME (CONTINUED)

#	Street	From	To	Class	Lanes	Daily Volume	LOS
26	Canyon Creek Dr	S St	Prince St	Collector	2	1,350	A
27	Canal School Rd	Inyo Ave	Brazo Rd	Arterial	2	2,950	A
28	Upper Rd	Canyon Creek Dr	Hollowell Rd	Arterial	2	1,300	A
29	Hallowell Rd	Draper Rd	Upper Rd	Collector	2	200	A
30	Eastin Rd	Stuhr Rd	Orestimba Rd	Not designated	2	650	A
31	Villa Manucha Rd	Lundy Rd	Stuhr Rd	Not designated	2	1,700	A
32	Orestimba Rd	West of Eastin Rd		Not designated	2	550	A
33	Shiells Rd	West of Eastin Rd		Not designated	2	300	A
	SR 33	North of Stuhr Rd		Arterial	2	4,700 (2005)	A
	SR 33	Stuhr Rd	Sherman Pkwy	Arterial	2	7,100 (2005)	A
	SR 33	Sherman Pkwy	Kern St	Arterial	2	8,200 (2005)	A
	SR 33	Kern St	Merced St	Arterial	2	8,400 (2005)	A
	SR 33	Merced St	Stanislaus Co Line	Arterial	2	7,300 (2005)	A

Source: KdANDERSON Transportation Engineers, 2006.

TABLE 4.13-4 EXISTING PEAK HOUR INTERSECTION LOS

#	Street	Cross Street	Control	Level of Service			
				AM Peak Hour		PM Peak Hour	
				Average Delay	LOS	Average Delay	LOS
1	SR 33	Jensen Rd	EB/WB Stop	15.9 sec	C	16.2 sec	C
2	Orestimba Rd / Yolo St	T St / Hardin Rd	All-Way Stop	12.1 sec	B	7.8 sec	A
3	Hills Ferry Road	Driskell Ave	EB Stop	11.6 sec	B	12.3 sec	B
4	SR 33	Yolo St	EB Stop	13.9 sec	B	14.1 sec	B
5	Fig Lane	Kern St	NB / SB Stop	10.8 sec	B	9.8 sec	A
6	SR 33	Kern St	Signal	22.2 sec	C	17.3 sec	B
7	Hoyer Rd / Inyo Ave	Merced St	All-Way Stop	11.4 sec	B	7.8 sec	A
8	Merced St	Q St	NB/SB Stop	11.0 sec	B	10.2 sec	B
9	SR 33	Merced St	Signal	18.6 sec	B	17.8 sec	B
10	Inyo Ave	Prince St	NB/ SB Stop	10.6 sec	B	9.9 sec	A
11	SR 33	Inyo Ave	EB / WB Stop	25.3 sec	D	21.5 sec	C

Source: KdANDERSON Transportation Engineers, 2006.

nal warrants. Observed traffic volumes satisfy Caltrans warrant for peak hour volume but not the peak hour warrant predicated on total delay at the intersection. Additional analysis of other warrants would be needed to determine if a traffic signal is in fact justified today.

2. Freight Movements

Freight, mainly consisting of retail and agricultural goods, travels to and from Newman by truck. Through truck traffic also passes through Newman on State Route 33 and Hills Ferry Road and freight trains travel through Newman along the west side line parallel to State Route 33.

a. Truck Routes

Newman has a number of designated truck routes in the City to allow for the passage of truck through the City. These truck routes include:

- ◆ State Route 33
- ◆ Merced Street east of State Route 33
- ◆ Inyo Street east of State Route 33
- ◆ Main Street from Merced Street to Inyo Street
- ◆ Stanislaus Street from Main Street to “L” Street
- ◆ “L” Street from Merced Street to the City limits
- ◆ “M” Street from Kern Street to Inyo Street
- ◆ Kern Street from State Route 33 to “M” Street
- ◆ Yolo Street between State Route 33 and “S” Street
- ◆ Orestimba Road west of “S” Street
- ◆ Upper Road south of Inyo Avenue

b. Railroad

A branch line of the Union Pacific Railroad (UPRR) passes along State Route 33 in Newman. Currently, one freight train goes southbound through town to Volta and then returns back through town northbound each weekday. While this railroad line could provide freight service to Newman, the existing businesses and industrial uses use trucks as transport versus this rail service.

Even though the west side railroad line does not have heavy train traffic and train speeds are typically only between 15 and 25 miles per hour, the line does have an impact on the community. This railroad line bisects the community and limits access between the portion of Newman on the west side of the tracks and the portion on the east side by restricting the number of at grade street crossings. The only streets that cross the railroad and connect the eastern and western portions of Newman are Inyo Avenue, Merced Street, Driskell Avenue and Sherman Parkway, which was recently developed at the northern City limit. The Public Utilities Commission and the Railroad control and approve new grade crossings and grade crossing improvements and are not likely to approve the development of additional new grade crossings.

3. Parking

Newman generally has an adequate supply of parking and parking is not an issue. All new residential and commercial developments are required to meet the City's parking standards, contained within the City's Zoning Code, and provide off-street parking spaces. Most streets within Newman also have on-street parking.

The downtown commercial core generates the most demand for parking. While development in the commercial core is relatively old and does not meet the City's current off-street parking requirements, there is still sufficient public parking. Public parking in the commercial core is provided by diagonal parking spaces along Main Street and in two public parking lots, an approximately 20-space lot located on the west side of Main Street and a 40-space lot on the east side of Main Street across from the Westside Theater. This second public lot is planned to be redeveloped into a public plaza and parking lot that will contain an additional 20 parking spaces. In addition to the publicly owned parking lots, the City leases a lot on Main Street adjacent to the Westside Veterinary Clinic to provide more public parking. Employee parking and customer parking is also provided on many properties in private surface parking lots located behind the commercial buildings and accessed by alleys.

4. Public Transit System

The Newman area is served by Stanislaus County Transit's Westside Runabouts. Runabouts are a transit service that combines designated fixed stops (like a fixed route) and curb-to-curb service (like a dial-a-ride). Passengers can catch the service at the designated fixed stops without having to phone ahead and book a ride. However, those passengers can only be dropped off at other designated fixed stops. For those passengers that want curb-to-curb service, it is necessary to call ahead and book a ride.

The Westside Runabouts run along State Route 33 to link Newman with the communities of Crows Landing and Patterson. The line then continues east-erly to Turlock.

Newman is also served by Stanislaus County Transit's Dial-A-Ride Service. This service operates door-to-door from 7:00 a.m. to 6:00 p.m. Monday through Saturday.

5. Bicycle Facilities

The General Plan denotes the planned bicycle system to serve the community of Newman. The GP bicycle plan identifies both Class I (separated path) and Class II (bicycle lanes) facilities. Class I paths are planned along Jensen Road and Sherman Parkway from the CCIG Canal to McClintock Road, along the CCIG canal, along Hoyer Road between Harvey Road and Upper Road, along Prince Street between Inyo Avenue and Shiells Road, along the railroad corridor east of State Route 33 and along Canal School Road south of Hills Ferry Road. On street bicycle lanes (Class II) are planned along new collector/arterial streets and along major streets through Newman, including Kern Street, Driskell Avenue, Inyo Avenue, Fig Lane and T Street.

6. Pedestrian System

The City of Newman's pedestrian system primarily consists of sidewalks within the public right-of-ways and crosswalks. Most of the streets within the City have sidewalks on both sides. In addition, there are two dedicated pedes-

trian pathways that are located outside of public street right-of-ways. These pathways are located along Von Reiner Street and Upper Road.

The majority of the destinations within Newman, including the downtown commercial core and most schools and parks, are accessible by walking and the sidewalks are generally in good condition. There are, however, locations where there are gaps in the sidewalk system. These locations are generally adjacent to undeveloped lots or lots that were developed prior annexation to the City. An example of such a location is Hoyer Road, between Yolo Middle School and downtown. Children walking to school and other pedestrians must walk on dirt pathways along portions of Hoyer Road because this right-of-way has not yet been developed to City standards.

While the majority of the destinations within Newman are accessible by walking, the degree of pedestrian accessibility varies greatly between the age of a neighborhood or area. The walking or streetscape environment also varies greatly between neighborhoods within Newman.

As required by the American's with Disabilities Act (ADA), all streets recently development in Newman includes accessibility ramps at corners and crosswalks. However many of the older intersections, developed prior to the passage of the ADA, do not and need to be retrofitted.

7. Airports

Newman is not located near to a public or private airport. There is a private airstrip near SR-33 and Stuhr Road within the SOI that is used for the operation of crop dusters.

C. Standards of Significance

The proposed project would have a significant impact to traffic or transportation if it would:

- ◆ Cause an increase in traffic which will exceed LOS C, except for Merced Street downtown and Highway 33 where due to existing constraints and

the desire to maintain the community character, the City allows a LOS lower than C.

- ◆ Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways.
- ◆ Result in inadequate parking capacity.
- ◆ Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment).
- ◆ Result in inadequate emergency access.
- ◆ Conflict with adopted policies, plans or programs supporting alternative transportation.
- ◆ Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.

D. Impact Discussion

This section evaluates project traffic impacts of the proposed General Plan.

1. Project Impacts

a. Future Traffic Operation

To assess the potential impacts of buildout of the proposed General Plan on the roadway system, a traffic analysis was completed by kdANDERSON. A full copy of their report is included in Appendix B. The full report provides more detail on the land use and other assumptions used for the following analysis.

i. Travel Demand Forecast

The Newman area is included in both the Stanislaus County of Governments (StanCOG) and Merced County Association of Governments (MCAG) regional travel demand forecasting models. These models assume land use that is generally consistent with adopted General Plans but neither reflects full buildout of any community. However, because of the city's location near the

“fringe” of each county, neither model is a reliable projector of conditions in Newman near Newman. In addition, neither model is refined to the extent that reasonable forecasts can be made for the arterial and collector street system in Newman. An alternative traffic model was developed as part of the City of Newman’s 2000 Traffic Impact Fee study, and this tool has been employed for this traffic analysis.

Table 4.13-5 summarizes daily traffic volume forecasts under the proposed General Plan and identifies the Level of Service occurring on arterial and collector roads, assuming that the General Plan’s circulation plan is implemented, as shown in Figures 3-6 and 3-7 of the Project Description.

The traffic model employed to forecast daily traffic on study area roads also summarizes vehicle miles of travel (VMT). Buildout of the proposed General Plan yields 454,460 VMT.

ii. Traffic Impacts on Roadway Segment LOS

As can be shown in Table 4.13-5, there are several roadway segments that would operate at a level that exceeds the acceptable LOS C level. The following provides more detail about each of the roadway segments that will operate at an unacceptable LOS with buildout of the proposed General Plan.

a) State Route 33

The volume of traffic forecast for State Route 33 is in the range of 30,000 to 40,000 vehicles per day through Newman. While the proposed Circulation

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TABLE 4.13-5 BUILDOUT TRAFFIC VOLUMES AND LOS

						Proposed General Plan		
Street	From	To	Lanes	Volume	V/C	LOS		
State Highway								
	Stuhr Road	Stuhr Road	2	16,050	0.80	C-D		
	Jensen Road	Jensen Road	4	35,850	0.90	E		
	Jensen Road	Yolo Street	4	40,550	1.01	F		
	Yolo Street	Kern Street	4	34,150	0.98	E		
	Kern Street	Merced Street	4	35,850	1.04	F		
	Merced Street	Inyo Avenue	4	35,550	1.03	F		
	Inyo Avenue	City limits	4	35,450	0.89	D-E		
	City Limits	Shiells Road	2	14,100	0.71	C		
	Shiells Road	Hallowell Road	2	16,600	0.83	D		
	Hallowell Road		2	23,800	1.19	F		
North-South Streets								
	Stuhr Road	Orestimba Road	2	6,250	0.33	B		
	Orestimba Road	Hoyer Road	2	6,050	0.32	B		
	Hoyer Road	Shiells Road	2	3,300	0.18	B		
	Shiells Road	Hallowell Road	2	2,400	0.13	B		
	Stuhr Road	Jensen Road	2	7,150	0.38	B		
	Jensen Road	Orestimba Road	2	11,150	0.59	B		
	Orestimba Road	Hoyer Road	2	11,450	0.60	B		
	Hoyer Road	Shiells Road	2	10,650	0.56	B		
	Shiells Road	Hallowell Road	2	8,000	0.42	B		
	Orestimba Road	Hoyer Road	2	2,050	0.14	B		
	Hoyer Road	Canyon Creek Drive	2	1,000	0.07	B		

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TABLE 4.13-5 BUILDOUT TRAFFIC VOLUMES AND LOS (CONTINUED)

Street	Proposed General Plan					
	From	To	Lanes	Volume	V/C	LOS
Upper Road	Hoyer Road	Canyon Creek Drive	2	13,650	0.72	C
	Canyon Creek Drive	Shiells Road	2	9,400	0.50	B
	Shiells Road	Hallowell Road	2	8,350	0.44	B
Hardin Road	Jensen Road	Yolo Street	2	4,300	0.31	B
	Yolo Street	Kern Street	2	5,000	0.33	B
	Kern Street	Merced Street	2	9,750	0.65	B
Fig Lane	Stuhr Road	Jensen Road	2	1,000	0.07	B
	Jensen Road	Yolo Street	2	10,750	0.72	C
	Yolo Street	Kern Street	2	10,600	0.71	C
Q Street	Kern Street	Merced Street	2	8,000	0.56	B
	Merced Street	Inyo Avenue	2	5,650	0.38	B
	Inyo Avenue	Canyon Creek Drive	4	20,500	0.54	B
Prince Street	Canyon Creek Drive	Shiells Road	2	9,800	0.52	B
	Shiells Road	Hallowell Road	2	1,000	0.07	B
	Kern Street	Merced Street	2	11,500	0.77	C
M Street	Kern Street	Inyo Avenue	2	4,000	0.40	B
	Stuhr Road	Sherman Parkway	2	10,550	0.71	C
	Stuhr Road	Sherman Parkway	2	4,500	0.30	B
Balsam Drive	Sherman Parkway	Baniff Drive	2	4,900	0.33	B
	Baniff Drive	Driskell Avenue	2	4,700	0.37	B
	Stuhr Road	Sherman Parkway	2	2,900	0.19	B
Eucalyptus Avenue	Sherman Parkway	Driskell Avenue	2	3,550	0.24	B

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TABLE 4.13-5 BUILDOUT TRAFFIC VOLUMES AND LOS (CONTINUED)

					Proposed General Plan		
Street	From	To	Lanes	Volume	V/C	LOS	
Barington Avenue	Stuhr Road	Sherman Parkway	2	3,000	0.20	B	
	Sherman Parkway	Driskell Avenue	2	5,750	0.38	B	
Canal School Road	Hills Ferry Road	Brazo Road	2	16,950	1.07	F	
McClintock Road	Stuhr Road	Collector	2	2,400	0.16	B	
	Collector	Sherman Parkway	2	11,250	0.75	C	
County Line	Sherman Parkway	Merced Street	2	8,350	0.56	B	
Collector	Merced Street	Inyo Avenue	-	7,950	0.53	B	
East-West Streets							
Stuhr Road	Draper Road	Draper Road	2	17,700	0.93	E	
	Western Parkway	Western Parkway	2	11,450	0.60	B	
	Fig Lane	Fig Lane	2	10,300	0.55	B	
	SR 33	SR 33	2	9,900	0.52	B	
	Balsam Drive	Balsam Drive	2	8,550	0.45	B	
	Eucalyptus Avenue	Eucalyptus Avenue	2	7,550	0.40	B	
Collector	Eucalyptus Avenue	McClintock Road	2	7,850	0.41	B	
	McClintock Road	Hills Ferry Road	2	6,550	0.35	B	
	McClintock Road	Hills Ferry Road	2	10,300	0.69	B	
	Western Parkway	Western Parkway	2	2,200	0.12	B	
	Western Parkway	Western Parkway	2	9,200	0.48	B	
	Hardin Road	Hardin Road	4	18,450	0.49	B	
Jensen Road	Hardin Road	Fig Lane	4	20,850	0.55	B	
	Fig Lane	SR 33	4	15,700	0.42	B	

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TABLE 4.13-5 BUILDOUT TRAFFIC VOLUMES AND LOS (CONTINUED)

						Proposed General Plan		
Street	From	To	Lanes	Volume	V/C	LOS		
	SR 33	Railroad	4	26,700	0.70	C		
	Railroad	Collector	4	26,700	0.70	C		
	Collector	Balsam Drive	4	21,200	0.56	B		
Sherman Parkway	Balsam Drive	Eucalyptus Ave	2	15,500	0.82	D		
	Eucalyptus Ave	Barington Avenue	2	14,100	0.74	C		
	Barington Ave	McClintock Road	2	12,150	0.64	B		
	McClintock Road	Hills Ferry Road	2	8,100	0.42	B		
	Hills Ferry Road		2	4,750	0.32	B		
	Draper Road	Western Parkway	2	4,250	0.22	B		
Orestimba Road	Western Parkway	Collector	2	5,350	0.28	B		
	Collector	Hardin Road	2	6,500	0.35	B		
	Hardin Road	Q Street	2	6,150	0.41	B		
Yolo Street	Q Street	SR 33	2	8,500	0.57	B		
	Hardin Road	Q Street	2	7,450	0.50	B		
	Q Street	Main Street	2	10,850	0.72	C		
Kern Street	Main Street	SR 33	4	15,550	0.52	B		
	SR 33	Railroad	4	17,100	0.58	B		
	Railroad	M Street	4	17,100	0.58	B		
	M Street	Balsam Drive	4	17,300	0.58	B		
Driskell Ave	Balsam Drive	Eucalyptus Ave	2	12,100	0.81	D		
	Eucalyptus Avenue	Barington Avenue	2	9,150	0.61	B		
	Barington Avenue	Hills Ferry Road	2	7,850	0.53	B		

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TABLE 4.13-5 BUILDOUT TRAFFIC VOLUMES AND LOS (CONTINUED)

Street	From	To	Lanes	Proposed General Plan		
				Volume	V/C	LOS
Hoyer Road	Draper Road	Western Parkway	2	14,600	0.77	C
	Western Parkway	Collector	4	17,250	0.46	B
	Collector	Upper Road	4	20,750	0.55	B
Merced Street	Inyo Avenue	Hardin Road	4	28,150	0.75	C
	Hardin Road	Q Street	2	15,100	0.80	C-D
	Q Street	Main Street	4	30,950	0.95	E
Hills Ferry Road	Main Street	SR 33	4	26,200	0.69	B
	SR 33	Railroad	4	23,700	0.62	B
	Railroad	M Street	4	23,700	0.62	B
	M Street	Brookhaven Drive	4	23,250	0.61	B
	Brookhaven Drive	Canal School Road	4	20,450	0.54	B
Inyo Avenue	Driskell Avenue	Sherman Parkway	4	32,350	0.85	D
	Sherman Parkway	Collector	4	29,250	0.77	C
	Collector	Stuhr Road	2	11,600	0.61	B
Inyo Avenue	Stuhr Road		2	15,850	0.84	D
	Hardin Road	Q Street	2	7,550	0.50	B
	Q Street	Prince Street	2	11,250	0.75	C
	Prince Street	Main Street	4	14,650	0.50	B
	Main Street	SR 33	4	8,550	0.30	B
Inyo Avenue	SR 33	Railroad	2	14,800	0.99	E
	Railroad	L Street	2	14,800	0.99	E
	L Street	Canal School Road	2	8,500	0.57	B

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TABLE 4.13-5 **BUILDOUT TRAFFIC VOLUMES AND LOS (CONTINUED)**

Street	From	To	Lanes	Proposed General Plan		
				Volume	V/C	LOS
Canyon Creek Dr	Upper Road	Upper Road	2	1,550	0.10	B
	Draper Road	Prince Street	2	5,000	0.33	B
	Western Parkway	Western Parkway	2	1,000	0.07	B
Shiells Road	Upper Road	Upper Road	2	13,850	0.73	C
	Prince Road	Prince Road	2	15,500	0.82	D
	SR 33	SR 33	2	9,300	0.49	B
Brazo Road	Railroad	Railroad	2	10,600	0.56	B
	Canal School Road	Canal School Road	2	10,600	0.56	B
	Western Parkway	Western Parkway	2	1,800	0.09	B
Hallowell Road	Upper Road	Upper Road	2	1,550	0.08	B
	Prince Road	Prince Road	2	3,000	0.15	B
	SR 33	SR 33	2	3,550	0.19	B
Sanchez Road	SR 33	School Canal Road	2	7,100	0.37	B

Note: Bold represents roadway segments that exceed LOS C.
Source: KdANDERSON Transportation Engineers, 2006.

Element indicates that the state highway will be widened to four lanes, the forecast volumes would theoretically require a six-lane roadway to deliver LOS C. However, recognizing that expanding State Route 33 to six lanes would impact existing property and divide the community with a major highway, the proposed General Plan allows for State Route 33 to exceed LOS C (Policy TC-1.1). As a result, while State Route 33 would exceed LOS C with the proposed General Plan, it *would not result in a significant impact*.

The policy of not wanting State Route 33 to expand to 6 lanes is not a new policy for the proposed General Plan. Instead, this is a continuation of City policy included in the City's adopted General Plan to accept the lower LOS on State Route 33 and not divide the community with a large highway that would require the taking of existing property. This decision is reaffirmed in the City's traffic Impact fee program, which again noted that a 6 lane road would be needed; however, the City did not elect to fund a 6 lane widening.

Locally, measures could be implemented to help improve traffic flow, without expansion to 6 lanes. However, the LOS would still likely remain worse than C. The proposed General Plan includes Policy TC-1.7, in which the City will cooperate with the County and Caltrans to support appropriate actions and improvements to maintain adequate levels of service on State Route 33 to the extent feasible. This could include the development of auxiliary turn lanes at major intersections which would help improve operating conditions at key locations. The development of multiple crossings on the UPRR and the development of routes that parallel State Route 33 will help reduce this impact.

b) City Roadway Segments

As shown on Table 4.13-5, the following roadway segments are projected to operate at LOS in excess of LOS C:

- ◆ Merced Street from Hardin Road to Q Street (two lanes LOS D).
- ◆ Merced Street from Q Street to Main Street (four lanes LOS E).

- ◆ Canal School Road from Hills Ferry Road to Brazos Road (two lanes LOS F).
- ◆ Sherman Parkway between Balsam Drive and Eucalyptus Avenue (two lanes LOS D).
- ◆ Driskell Drive between Balsam Drive and Eucalyptus Avenue (two lanes LOS D).
- ◆ Hills Ferry Road from Driskell Drive to Sherman Parkway (four lanes LOS D).
- ◆ Inyo Avenue (two lanes State Route 33 to L Street).
- ◆ Shiells Road from Upper Road to Prince Road (two lanes LOS D).

The proposed General Plan does acknowledge that Merced Street cannot be improved, without affecting adjacent properties, to operate at LOS C or better in Policy TC-1.1, which allows Merced Street to exceed LOS C. However, the City will work to improve Merced Street to the extent feasible, as discussed in Action TC-1.7. As a result, buildout of the proposed General Plan *would not result in a significant impact* to traffic operation along Merced Street.

However, Policy TC-1.1 does identify LOS C as the acceptable level of service for all other city streets. As part of the development of the circulation plan for the proposed General Plan, various combinations of new roadways and roadway widening were evaluated in an attempt to deliver LOS C or better conditions on all City streets. However, the roadway segments identified above remained at conditions in excess of LOS C. In most cases the location of existing development makes further roadway widening impractical without significant right of way acquisition and major disruption to the community.

The proposed General Plan does include a range of policies to help manage traffic along city streets, including Policy TC-1.4 and 1.5, which encourages a grid pattern for arterials, collectors and local streets to allow for alternative

routes for traffic to travel. New development is also required to pay for improvements to the roadway system to support the demand generated by the new development (Policy TC-1.13). This could include development of auxiliary lanes at major intersections, minimization of access and installation of traffic signals to help move traffic. Also, the City will develop and adopt a Street Master Plan for arterial, collector and local streets with development standards for each roadway type (Action TC-1.2). However, because the overall LOS will exceed City standard, this impact is considered *significant*.

c) Regional Roadways

Development in Newman pursuant to the proposed General Plan will add traffic to the roadways linking the community with Interstate 5 to the west, to State Route 33 north and south of the community, to Hills Ferry Road and to various Merced and Stanislaus County roads that abut the community. The addition of Newman traffic will contribute to the need to maintain these roads, and will exacerbate current design deficiencies on what are typically rural roads.

From a LOS standpoint, condition in excess of the City's LOS C standard are projected at the following locations:

- ◆ Canal School Road from Inyo Street to Brazo Road (two-lane LOS F).
- ◆ West Stuhr Road from Draper Road to Interstate 5 (two-lane LOS E).

To improve these regional roadways so that they operate at a LOS C or better, they may need to be expanded; however, additional analysis based on the regional traffic models, versus the Newman City traffic model, would be needed to better specify the exact improvements needed outside of the Newman area. Since the City does not have authorization over these roadway segments, the expansion of these roadways has not been included as a specific mitigation measure; however, proposed General Plan policy TC-5.2 states that the City will work with Merced County to develop Canal School Road into an arterial. The City will also continue to work with Stanislaus County and other county cities to maintain and implement the County's Congestion Management Plan (Policy TC-5.3).

In addition, even though the inter-regional street system is not the sole responsibility of the City of Newman, the City should investigate mechanisms for City development to participate on a “fair share” basis in the costs of maintaining and improving roads outside of the City limits. Action TC-1.8 states that the City will update the traffic fee mitigation program to provide a mechanism for new development to pay for traffic and circulation improvements, including improvements needed to Merced and Stanislaus County roadways impacted by growth in Newman. Under Action TC-5.1, the City will require the County update the Regional Traffic Mitigation Fee to reflect needed regional improvements. However, because no mechanism currently exists that includes all the needed regional roadway improvements, this impact is considered *significant*.

iii. Impacts to Intersections

The quality of traffic flow at key intersections in Newman has also been evaluated on a peak hour basis. The following provides an overview of the analysis methodology and the resulting impacts.

a) Methodology

A two step process was employed to create future intersection turning movements. First, current daily traffic volumes were compared to future projections and the resulting growth rate was determined. These growth rates were then used to interpolate future intersection peak hour volumes using methods described in the Transportation Research Board’s (TRB’s) NCHRP Report 255, Highway Traffic Data for Urbanized Area Project Planning and Design (refer to Appendix B).

b) Levels of Service

Peak hour Levels of Service were calculated for study intersections under two scenarios. The first scenario assumes no improvements have been made to these intersections. The second scenario assumes that the study area intersections are improved in a manner that is consistent with the number of lanes designated in the proposed General Plan Circulation Element. Where applic-

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TRANSPORTATION**

TABLE 4.13-6 PROPOSED GENERAL PLAN BUILDOUT INTERSECTION GEOMETRY

#	Street	Lanes	Auxiliary Lanes	Street	Lanes	Auxiliary Lanes	Control
1	SR 33	4	NB left and right turn lanes SB Dual left and right turn lanes	Jensen Road	4	EB left turn lane WB left and right turn lanes	Signal
2	Orestimba Road / Yolo Street	2	NB and SB left turn lanes	Hardin Rd	2	NB and SB left turn lane	Signal
3	Hills Ferry Road	4	NB left turn lane SB dual left and right turn lane	Driskel Ave / Canal School	2	EB left turn lane WB left and right turn lanes	Signal
4	SR 33	4	NB left turn lane	Yolo St	2	EB left turn lane	Signal
6	SR 33	4	NB left and right turn lanes SB left turn lane	Kern St	4	EB left turn lane WB left and right turn lane	Signal
7	Hoyer Road	4	WB left turn lane	Upper Rd	4	None	Signal
8	Merced Street	4	None	Q Street	2	None	Signal
9	SR 33	4	NB and SB left turn lanes	Merced St	4	EB and WB left turn lanes	Signal
10	Inyo Avenue	2	WB left turn lane	Prince St	4	None	Signal
11	SR 33	4	NB and SB left turn lanes	Inyo Street	2	WB left turn lane and EB left and right turn lanes	Signal

Source: KdANDERSON Transportation Engineers, 2006.

able, auxiliary turn lanes have also been added. While modifications to these assumptions will likely occur in the future as more detail regarding long term traffic conditions becomes available, Table 4.13-6 notes proposed General Plan build out geometry assumed for this analysis. Table 4.13-7 presents resulting LOS during the AM and PM peak hours.

c) State Route 33 Intersection Impacts

Given the traffic volume forecast for State Route 33, it is likely that some intersections on State Route 33 where the development of auxiliary lanes is constrained by the presence of the railroad or existing development will operate at levels of service in excess of LOS C with the buildout of the proposed General Plan. As was discussed above with the State Route 33 roadway segment analysis, the proposed General Plan policy TC-1.1 allows for LOS C to be exceeded on State Route 33 due to existing constraints and desire to maintain the character of the community. As a result, while the LOS for intersections along State Route 33 may exceed C, *it would not be considered a significant impact.*

However, in the future, additional analysis at a more detailed level would be needed to fully address the design requirements of these intersections to improve them to the best level feasible. This level of analysis will accompany future encroachment permit applications for work within the State right-of-way, which is outside the scope of the General Plan level of analysis contained in this EIR. Assumed improvements, as well as subsequently identified improvements would need to be incorporated into the City's traffic mitigation fee program, which will be updated per Action TC-1.8, and the City needs to work with StanCOG and Caltrans to secure any available funding for improvements to the state highway system (as required by Policy TC-1.7). In addition, Policy TC-1.13 requires new development to pay for its share of cost for circulation improvements.

TABLE 4.13-7 PROPOSED GENERAL PLAN BUILDOUT PEAK HOUR INTERSECTION LEVELS OF SERVICE

#	Street	Cross Street	Control	Level of Service											
				AM Peak Hour						PM Peak Hour					
				Existing Geometry	Average Delay	LOS	Future Geometry	Average Delay	LOS	Existing Geometry	Average Delay	LOS	Future Geometry	Average Delay	LOS
1	SR 33	Jensen Road	EB/WB Stop Signal	> 999 sec	F	51.3 sec	D	> 999 sec	F	30.8 sec	C				
2	Orestimba Road / Yolo Street	T Street / Hardin Road	All-Way Stop Signal	271.1 sec	F	43.7 sec	D	15.0 sec	C	28.0 sec	C				
3	Hills Ferry Road	Driskell Avenue - Canal School	EB/WB Stop Signal	> 999 sec	-	27.8 sec	C	> 999 sec	F	28.2 sec	C				
4	SR 33	Yolo Street	EB Stop Signal	195.9 sec	F	9.7 sec	A	699.4 sec	F	13.0 sec	B				
6	SR 33	Kern Street	Signal	353.5 sec	F	48.9 sec	D	257.8 sec	F	40.1 sec	D				
7	Hoyer Road / Inyo Avenue	Upper Road	All-Way Stop Signal	> 999 sec	F	120.7 sec	F	359.9 sec	F	20.7 sec	C				
8	Merced Street	Q Street	NB/SB Stop Signal	> 999 sec	F	19.8 sec	B	> 999 sec	B	28.5 sec	C				
9	SR 33	Merced Street	Signal	182.8 sec	F	33.6 sec	C	265.3 sec	F	40.7 sec	D				
10	Inyo Avenue	Prince Street	NB/SB Stop Signal	633.7 sec	F	24.4 sec	C	> 999 sec	F	34.4 sec	C				
11	SR 33	Inyo Avenue	EB/WB Stop Signal	> 999 sec	F	31.1 sec	C	> 999 sec	F	31.9 sec	C				

Source: KdANDERSON Transportation Engineers, 2006.

d) City Street Intersection Impacts

Because much of the City of Newman circulation system lies within areas that are already developed, it is likely that there will be locations at intersections of city streets where peak hour conditions in excess of LOS C will occur. Additional project-level analysis of design requirements outside the scope of the proposed General Plan, including more detailed investigation of right-of-way availability will be needed. Policy TC-1.2 requires developers to prepare traffic analyses to determine potential impacts of new development on the roadway system. The City will also develop and adopt a Street Master Plan under Action TC-1.2. In addition, the City will need to update its traffic mitigation fee program, which will be updated per Action TC-1.8, to address the proposed General Plan, and investigation of potentially impacted locations should be part of that work. However, while it is possible that subsequent project-level analysis outside the scope of the General Plan will identify improvements that could yield LOS C, because additional improvements are uncertain due to existing constraints, conditions in excess of LOS C at intersections on city streets is considered a *significant impact*.

iv. Traffic Signals

The evaluation of key intersections has noted several locations where traffic signals will be needed in order to deliver LOS C conditions. It is also possible to identify future signalized intersections based on the daily traffic volume warrant thresholds contained in the Manual of Uniform Traffic Control Devices (MUTCD). At a planning level, intersections with daily volumes on all legs totaling more than 24,000 ADT with at least 3,000 ADT on each leg can be assumed to eventually warrant signalization. Other locations may justify traffic signals based on spacing along major streets.

Table 4.13-8 lists the locations of traffic signals that are projected to be needed at proposed General Plan buildout. As shown the two existing traffic signals could be joined by 47 new signals over the life of the proposed General Plan.

The City traffic impact fee program already collects fees towards the cost of signalizing intersections in Newman. While the need to install signals will

TABLE 4.13-8 INTERSECTIONS REQUIRING SIGNALIZATION WITH PROPOSED GENERAL PLAN BUILDOUT

1	SR 33 / Kern St (existing)	26	Kern Street / Q Street
2	SR 33 / Merced St (existing)	27	Kern Street / Main Street
3	Stuhr Road / Draper Road	28	Driskel Ave / Balsam Drive
4	Stuhr Road / Western Parkway	29	Driskel Ave / Eucalyptus Ave
5	Sturh Road / Fig Street	30	Driskel Ave / Hills Ferry Road
6	SR 33 / Stuhr Road	31	Hills Ferry Rd / New Collector
7	Stuhr Road / Balsam Drive	32	Hoyer Toad / Western Parkway
8	Stuhr Road / Eucalyptus Ave	33	Hoyer Road / Upper Road
9	Stuhr Road / Barrington Ave	34	Merced Street / T Street / Inyo St
10	Stuhr Road / McClintock Drive	35	Merced Street / Q Street
11	Stuhr Road / Hills Ferry Road	36	Merced Street / Main Street
12	Jensen Road / Western Parkway	37	Merced Street / L Street
13	Jensen Road / Hardin Road	38	Inyo Street / Q Street
14	Jensen Road / Fig Street	39	Inyo Street / Prince Street
15	SR 33 / Jensen Road	40	Inyo Street / Main Street
16	Sherman Parkway / Balsam Ave	41	SR 33 / Inyo Street
17	Sherman Parkway / Eucalyptus Ave	42	Inyo Street / Canal School Road
18	Sherman Parkway / Barrington	43	Shiells Road / Western Parkway
19	Sherman Parkway / McClintock Dr	44	Shiells Road / Upper Road
20	Sherman Parkway / Hills Ferry Rd	45	Shiells Road / Prince Street
21	Hills Ferry Road / New collector	46	SR 33 / Brazo Road
22	Orestimba Road / Western Parkway	47	Brazo Road / Canal School Road
23	Yolo Street / Hardin Rd	48	SR 33 / Sanches Road
24	Yolo Street / Q Street	49	Sanches Road / Canal School Road
25	SR 33 / Yolo Street		

Source: KdANDERSON Transportation Engineers, 2006.

eventually be predicated on actual traffic volumes occurring on each street, and Caltrans will not permit unwarranted signals to be installed on State Route 33, the fee program will need to be updated to reflect new locations that will need to be funded in the city, as well as “fair share” contribution to the cost of locations outside of the City limits. Recognizing this, the proposed General Plan includes an action and policy related to updating the City’s fee program and requiring new development to pay its own share of needed improvements, Action TC-1.8 and Policy TC-1.13. Since the City traffic impact fee program already collects fees to use for signaling intersections, and the fee program will be updated as necessary to include any additional intersections, this would be a *less-than-significant impact*.

b. Parking Impacts

As noted in the existing conditions section, there is adequate parking in Newman. Although new residential and employment generating development, as allowed by the proposed General Plan, would create an additional demand for parking in the city, all new development would be required to adhere to the City’s parking standards contained in its Zoning Ordinance, which would provide adequate parking in the future. In addition, the proposed General Plan includes a variety of goals and policies addressing the provision of adequate parking. For example, policies TC-6.1 and 6.2 require adequate off-street parking be provided by new development and developments that displace existing on-street parking. Under Policy TC-6.3, the City would explore creating a parking assessment district for the downtown core area. As a result, with the existing City parking regulations and proposed General Plan policies, there would be a less-than-significant parking impact as a result of the proposed General Parking.

c. Traffic Safety Impacts

The proposed General Plan includes a Circulation Diagram that indicates the location of existing railroad crossings that will need to be widened or upgraded to accommodate future demands, as well as the location of new crossings. Table 4.13-9 identifies these crossings and notes the number of through travel

TABLE 4.13-9 RAILROAD CROSSINGS IN NEWMAN

#	Cross Street	Through Lanes	Total Lanes	Future ADT	Action
1	East Stuhr Road	2	3	8,550	Upgrade – widen ¹
2	Sherman Parkway	4	6	26,700	New Crossing ²
3	Kern Street	4	6	17,100	Upgrade – widen ²
4	Merced Street	4	5	23,700	Upgrade -widen ¹
5	Stanislaus Street	2	2	NA	Maintain
6	Inyo Street	2	4	14,800	Upgrade – widen ²
7	Shiells Road – Brazo Road	2	3	10,600	New ¹
8	Sanchez Road	2	3	7,100	Upgrade – widen ¹

1 Auxiliary westbound left turn lane.

2 Auxiliary westbound left and right turn lanes.

Source: KdANDERSON Transportation Engineers, 2006.

lanes crossing the tracks. Projected daily traffic volumes at each crossing are indicated.

Because the railroad is only about 300 feet from State Route 33 through downtown Newman and may be closer elsewhere, it is possible that future intersection improvements could extend back to and through the railroad crossing. The number of lanes on each crossing is presented assuming that each westbound auxiliary lane approaching State Route 33 is extended easterly through the crossing. As a result, buildout of the proposed General Plan would increase the volume of traffic on existing railroad crossings and would result in new crossings carrying automobile, bicycle and pedestrian traffic.

The volume of traffic on railroad crossings is becoming an increasingly important issue to the Public Utilities Commission (PUC) and the

owner/operator of railroads throughout California. To ensure the safety of both the motoring public and rail users, state of the art crossings that are fully coordinated with adjoining traffic signals may be required. In other communities the PUC has been hesitant to widen existing at-grade crossings on well used railroads to provide more than two-lane capacity and has instead required the construction of grade separated crossings. In the case of Newman, the development of four lane crossings was been identified in the City's adopted General Plan and is continued in the proposed General Plan. While the railroad today has relatively little activity (i.e. one or two trains per day), it is possible that the PUC and railroad could object to widening existing crossings. If this is the case, the Circulation Diagram would theoretically have to be modified to develop grade separations at locations where demand in excess of two-lane facilities are expected. This would include the Sherman Parkway, Kern Street and Merced Street crossings. While a grade separation is conceivable at Sherman Street, the presence of exiting development at the other locations renders grade separations unfeasible.

Recognizing that the City will need to work with the PUC and the railroad operator to design at grade rail crossings and that additional crossings may be needed, the proposed General Plan includes two actions that address this issue. Action TC-1.5 requires the City to work with the PUC and Union Pacific (UP) to develop the grade crossings at Driskell Avenue and Merced Street into four vehicle lanes and work with the PUC and UP to improve the existing grade crossing at Stanislaus Street and develop a new grade crossing at the future South Parkway. Action TC-1.6 states that the City will work with the PUC and UP as part of the planning process for Master Plan Subareas 1 and 2 to explore the possibility of developing additional at-grade crossings between Sherman Parkway and Stuhr Road.

The City of Newman will need to update the traffic impact fee program to include the costs of improving railroad crossings. Since the proposed General Plan includes policies recognizing that the City will need to work with the PUC and UP on determining the appropriate location of rail crossings to ensure adequate safety, and the fact that there are only two trains a day that

travel along the rail line, there would be a *less-than-significant* impact associated with potential safety issues.

d. Emergency Access Impacts

The proposed General Plan is not anticipated to interfere with emergency access, since its policies and actions explicitly seek to address these potential issues in future development allowed under the proposed General Plan. Goal HS-5 includes several policies and an action that work to ensure that emergency response procedures are maintained. Specifically regarding emergency access, Policy HS-5.1 requires that all emergency routes be kept clear of traffic impediments and Policy HS-5.4 requires that new neighborhoods be designed to allow for adequate emergency access. As a result, the proposed General Plan *will not negatively affect* emergency access within Newman and the SOI.

e. Bicycle, Pedestrian and Transit Impacts

The proposed General Plan is not anticipated to generate any significant negative impacts associated with bicycle, pedestrian and transit facilities. In fact, with the included policies and actions, the proposed General Plan could help to improve alternative means of transportation for Newman.

For example, the proposed General Plan includes several policies and actions under Goal TC-7 which work to provide an improved bicycle and pedestrian network for the community. Specifically, Policy TC-7.1 requires that the City create and maintain a safe and convenient system of pedestrian and bicycle facilities with links to key locations throughout the community, as well as promote the development of a street system that promotes walking and bicycling (Policy TC-7.2). Sidewalks will also be installed along new roadways (Policy TC-7.3) and bike lanes installed along arterials and collectors where feasible (Policy TC-7.6). Actions TC-7.1 and 7.2 will result in the adoption of a Bikeways Master Plan and Pedestrian Circulation Master Plan for Newman.

In addition to policies and actions addressing pedestrian and bicycle facilities, the proposed General Plan contains a policy and two actions under Goal TC-2 that help to promote and maintain public and private transit systems

serving Newman. For Policy TC-2.1, the City will work with the Stanislaus Regional Transit (START) to maintain and expand van and bus service to Newman. Actions TC-2.1 and TC-2.2 work towards expanding alternative transit options, including private taxi services and commuter rail service.

f. Air Traffic Impacts

Implementation of the proposed General Plan would most likely result in developing occurring adjacent to an existing landing strip used for crop dusting. Otherwise, the proposed Plan would not impact any airport since there are none located in the vicinity. While the airstrip would most likely be relocated to due to incompatibilities with urban growth, this would not be considered a significant impact to air traffic since it would only displace an individual operator and would not affect regional, State or national air traffic patterns.

2. Cumulative Impacts

The project-level traffic analysis above also addresses cumulative impacts to the local and regional transportation system since the traffic model used analyzed the buildout of the proposed General Plan along with projected regional growth for Stanislaus and Merced Counties. As a result, the impacts identified above are also cumulative since they take into consideration future cumulative, regional growth.

Since the proposed General Plan would only result in beneficial impacts to the bicycle, pedestrian and transit systems, there would be no cumulative impact in any of these areas.

E. Impacts and Mitigation Measures

Impact TRAF-1: Build out of the General Plan will result in LOS D, E or F conditions on various city streets which would operate at LOS C under the current General Plan. While improvements and policies contained in the proposed General Plan will help improve the operation of these roadway

segments to the extent feasible, the impact will remain *significant and unavoidable*.

Impact TRAF-2: Buildout of the proposed General Plan will add traffic to the inter-regional roadway system, including streets in Merced and Stanislaus County outside of the city's SOI. While the proposed General Plan includes policies to work with regional transportation providers to address the needed improvements, because the regional roadways are outside the City's authority to impose mitigation, and funding mechanisms are not in place to improve the regional roadways, the impact is considered a *significant and unavoidable* impact.

Impact TRAF-3: Buildout of the Newman General Plan could result in peak hour LOS in excess of LOS C at existing intersection on city streets. While it is possible that subsequent project-level analysis outside the scope of the General Plan-level analysis will identify improvements that could yield LOS C, because additional improvements are uncertain due to existing development constraints, conditions in excess of LOS C at intersections on city streets is considered a *significant and unavoidable* impact.

4.14 UTILITIES

This section describes the existing water and wastewater, storm drainage, solid waste and energy service in Newman. The chapter also discusses potential impacts from the General Plan.

A. *Water Service*

This section describes applicable regulatory programs addressing the provision of water in Newman, as well as a discussion of existing water services and infrastructure and supply and demand conditions.

1. **Regulatory Setting**

The following programs, policies and regulations direct the water service in Newman.

a. **Federal and State Regulations**

The following is a description of the federal and State regulations that affect water services in Newman.

i. Safe Drinking Water Act

The Safe Drinking Water Act (SDWA) authorizes the United States Environmental Protection Agency (EPA) to set national health-based standards for drinking water, called the National Primary Drinking Water Regulations, to protect against both naturally-occurring and human-made contaminants. These standards set enforceable maximum contaminant levels in drinking water and require particular methods for treating water to remove contaminants for all water providers in the United States, except for private wells serving fewer than 25 people. In California, the State Department of Health Services conducts most enforcement activities. If a water system does not meet standards, it is the water supplier's responsibility to notify its customers.

ii. SB 610 and SB221

Senate Bill 610 (SB610) and Senate Bill 221 (SB 221) amend State law to better coordinate local water supply and land use decisions, and ensure adequate

water supply for new development. Both statutes require detailed information regarding water availability to be provided to City and County decision-makers prior to approval of specified large development projects. Both statutes also require this detailed information be included in the administrative record that serves as the evidentiary basis for an approval action by the City or County on such projects. Both measures recognize local control and decision making regarding the availability of water for projects and the approval of projects.

iii. Groundwater Management Act

The Groundwater Management Act, Assembly Bill 3030 (AB 3030), signed into law in 1992, established provisions by which local water agencies could develop and implement groundwater management plans (GMPs). Newman does not currently have a GMP.

2. Existing Conditions

a. Water Source and Wells

The City's potable water source is groundwater. All areas within the Planning Area have underlying groundwater, and static water levels vary from 30 to 50 feet.¹ Groundwater wells are drilled to the blue clay layer which is approximately 500 feet deep. Water quality is an issue because of high salinity; however, this is more of a concern about taste rather than health. Treating the groundwater to reduce the salinity is an option that the City has explored, however disposal of the byproduct from this treatment process require special handling and disposal. As a long-term solution to meeting the City's future water supply needs, the City is currently exploring with the Central California Irrigation District (CCID) the acquisition of surface water from the Delta Mendota Canal.²

¹ *City of Newman General Plan Background Report*, October 20, 1992, page VI-1.

² Garza, Ernie, Director, Department of Public Works, City of Newman. Personal communication with Michael Brilliot, DC&E. August 25, 2006.

Currently, there are four wells serving the city: three already in use and a fourth expected to begin pumping in June 2005. The three wells currently in use pump 755 million gallons annually or 2.0 million gallons per day (MGD). The maximum pumping capacity of the system, with the new well, will be 6,000 gpm, or 8.6 MGD.³ This capacity is sufficient to serve the buildout of the current city limits, and it is expected that there is sufficient groundwater available to serve eventual future growth with new wells.⁴

Water is stored in a 100,000-gallon elevated storage tank at the northeast corner of Fresno and Q Streets. A ground-level storage tank may be needed in the future.

b. Water System

In 1982, Newman voters approved a \$1 million water main replacement project. The water mains were enlarged, gridded, and connected for increased fire flow and improved water supply. Old water lines along L and M streets, between Merced and Kern, still need to be replaced.

New development is required to provide a looped water system for greater supply and pressure. New water mains are a minimum diameter of 8 inches for service mains and 10 inches and 12 inches for distributing mains. Major arterial and collector streets such as Hoyer Road, Orestimba Road, Upper Road, Merced Street and Highway 33 will have 10-inch and 12-inch water mains. There is a new water main in Sherman Parkway extending from Highway 33 to Hills Ferry Road.

In addition, connection fees and fees for new well construction are levied on new development. A new well is needed for approximately every 600 units. A new well is needed for the industrial park area at the end of L Street.

³ Garza, Ernie. Director, Department of Public Works, City of Newman. Email to Kristin Faoro at QuadKnopf. February 4, 2005.

⁴ Garza, Ernie. Director, Department of Public Works, City of Newman. Personal communication with Michael Brilliot, DC&E. May 19, 2005.

When the water mains were replaced, new steamer-type hydrants with three hose connections replaced old hydrants. There are currently 276 fire hydrants and water for fire flow demand is satisfactory.⁵

3. Standards of Significance

The proposed General Plan would have an impact on water service if it would:

- ◆ Have insufficient water supplies available to serve the project from existing entitlements and resources, therefore requiring new or expanded entitlements.
- ◆ Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted).
- ◆ Require or result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

4. Impact Discussion

a. Project Impacts

As the city limits and proposed SOI develop under the General Plan there would be an increase in demand for water from urban uses.

i. Availability of Adequate Water Supplies

According to the City, there is sufficient groundwater within the proposed SOI and the surrounding area to meet both the needs of the existing city as well as growth anticipated in the proposed General Plan without depleting the groundwater aquifer. While the groundwater is high in salt content, it is

⁵ Garza, Ernie. Director. Department of Public Works, City of Newman. Personal communication with Michael Brilliot, DC&E. May 19, 2005.

in compliance with all federal water requirements. Because of this salinity and the desire of the City and its residents to have better tasting water, the City is exploring opportunities to obtain a surface water supply from the California Irrigations District. This water supply would serve both existing and planned development. As mentioned above, if an agreement is reached with the District, the water would likely come from the Delta Mendota Canal. If an agreement is not reached with the District and another surface water supply is not identified, then Newman would still have adequate supplies of groundwater to meet the needs of existing and planned development.⁶

As illustrated by the high water table in the Newman SOI and the city's need to reduce water levels by providing and maintaining agricultural irrigation drainage systems, the future growth anticipated by the proposed General Plan will not substantially deplete groundwater supplies even if the city continues to rely on groundwater as its primary source of water in the future.⁷

Recognizing that the new development envisioned in the proposed General Plan can not be developed without an adequate supply of water, the proposed General Plan includes Policy PFS 3.1, which states that new development shall only be approved by the City if there is demonstrated to be an adequate water supply.

Since there is adequate groundwater supply which would not be substantially depleted by growth allowed by the proposed General Plan, the proposed General Plan would not result in insufficient or depletion of water supplies.

ii. Provision of New and Expanded Water Infrastructure

Based on the "expected" growth to occur with implementation of the General Plan, additional water infrastructure would be needed to pump, treat and distribute water to new development. The General Plan includes policies to

⁶ Garza, Ernie, Director, Department of Public Works, City of Newman. Personal communication with Michael Brilliot, DC&E. August 25, 2006.

⁷ Garza, Ernie, Director, Department of Public Works, City of Newman. Personal communication with Michael Brilliot, DC&E. August 25, 2006.

ensure that adequate water infrastructure is available to support this new growth. Policy PFS-3.2 requires that the City will start planning and implementing additional improvements necessary at least two years in advance of reaching the capacity of existing facilities. Additionally, Policy PFS-2.5 states that the City shall develop, maintain, upgrade and replace water wells to ensure an adequate water supply for existing and new development. Recognizing the need to tie growth to the provision of public services and utilities, including water supply infrastructure, Policy LU2.2 states that the City will develop a Citywide Services Master Plan to ensure that growth will occur in pace with the city's ability to provide adequate services.

To promote water conservation and the reduce the infrastructure needed for water treatment, the proposed General Plan also includes Policies PFS-2.9 and PFS-2.10 to require the development for a recycled water conveyance system ("purple pipe") to serve public facilities and the Master Plan sub areas.

While the General Plan provides policies to ensure that adequate water infrastructure is provided, it is unknown at this time exactly where new water infrastructure will be placed. Since it will be needed to support new development, water mains will most likely be extended along roadways and other public right-of-ways to ensure easy access for maintenance. New water wells and storage facility locations will be determined by additional studies of topography, hydrology and land use patterns.

The specific environmental impact of constructing new water facilities to support the proposed General Plan cannot be determined at this first-tier level of analysis. However, development and operation of new facilities may result in potentially significant impacts that are addressed by various plans, policies and mitigation measures identified in other sections of this EIR. As specific projects including water system improvements are identified, additional project-specific, second-tier environmental analysis would be completed pursuant to CEQA.

b. Cumulative Impacts

Future growth in Stanislaus and Merced Counties would generate an additional demand for water, which would be provided through a mixture of surface and groundwater. While, as discussed above, the proposed General Plan would not result in a depletion of groundwater supplies since there is a localized excess of groundwater availability, there is a possibility that growth in other areas within the counties could result in overdrafting the groundwater table. Since there is not a study to address whether this would occur when all cumulative growth is considered, it is unknown whether there is adequate water supplies to support future growth. As a result, there is a potential that while the proposed General Plan would not result in a significant project-level impact, that it *could contribute to a cumulative impact* to groundwater supplies.

Future regional growth would result in a need for expanded water infrastructure throughout the County. However, only growth within Newman and its SOI would result in the need for the City to construct additional water facilities to serve its population, potential resulting in additional environmental impacts. The above project-specific analysis for the proposed General Plan took into consideration all potential growth within the area that would be provided water service by Newman and no significant impact was identified at this first-tier analysis in regards to the construction of new and expanded facilities. Therefore, the proposed General Plan *would not contribute to a significant cumulative impact* associated with the provision of the water infrastructure.

5. Impacts and Mitigation Measures

Impact UTL-1: While there is adequate localized water available to support the proposed General Plan, since there is no study to determine the overall cumulative impact of regional growth on the groundwater supply and associated availability of water to support growth, there is a possibility that the proposed General Plan could contribute to a *cumulative significant and unavoidable* impact associated with groundwater supply.

B. Wastewater

This section describes regulatory programs addressing the wastewater service in Newman, and existing wastewater infrastructure capacity and demand conditions.

1. Regulatory Framework

The City of Newman developed a Wastewater Treatment Facility Plan in 2004. The Facility Plan evaluated the capacity of the existing facility to meet projected future demand, recommended near term improvements to address compliance issues, and developed and evaluated alternatives for the development of new facilities that would meet future demand for wastewater treatment and meet State and federal regulations.

2. Existing Setting

The Wastewater Treatment and Disposal Facilities (WWTDF) are located on a total of 450 acres of city land next to the San Joaquin River one mile northeast of Newman on Hills Ferry Road. The plant does primary and secondary treatment of wastewater. The WWTDF complies with all applicable wastewater discharge and monitoring requirements.⁸

In 2003, the RWQCB found the Newman wastewater treatment plant to be in violation of acceptable sludge management practices by not evaluating whether the headworks solid waste stored in an existing septic tank was threatening the groundwater. Additionally, the City was found in violation of required self-monitoring reporting procedures. The City has already addressed these violations by certifying the structure integrity of the septic tank and by changing its reporting procedures to conform with RWQCB requirements.⁹

⁸ Carollo Engineers. Technical Memorandum No. 2 to the City of Newman. Draft, August 2003, page 2.

⁹ City of Newman, Wastewater Facilities Plan. Technical Memorandum No.3, Regulatory Review, December 2003, pages 4 to 5.

Treated water is disposed through overland flow irrigation and flood irrigation. Currently, 239 acres of agricultural land is irrigated and farmed by a third party contracted by the City. Typical crops include alfalfa, oats, corn (silage) and pasture grass. The irrigation system includes a 29-acre storage reservoir, an irrigation canal, recovery/circulation ditch, tailwater collection pond and return pump station. The current irrigation acreage and storage capacity should be adequate to handle flows from all projects that are currently approved. However, the City has already estimated that an additional 406 acre-feet of storage pond will be required to handle projected 2025 wastewater flows of 2.22 MGD average dry weather flow.

The WWTDF has an operational capacity of 1.37 MGD and a permitted capacity of 1.69 MGD.¹⁰ When all approved subdivisions are built, the projected operational capacity, based on average daily flow, will be slightly exceeded. This would not be a public health or safety issue since it is within permitted capacity. Peak flows, which usually occur in the summer because of increased inflow and infiltration of agricultural irrigation, are projected to be 1.60 MGD, leaving a small buffer between the operational capacity and the permitted capacity.¹¹

Currently, the capacity of the wastewater treatment plant is the major factor limiting growth in Newman. The City is working with an engineering consultant and the CVRWQCB to create and approve a plan for additional wastewater facilities. The completion of this plan is estimated to take 6 to 12 months, and a plan is expected to be approved sometime in 2006. The City Council has stated that it will not grant additional entitlements or annex additional lands until a sewer treatment plan is approved.¹²

¹⁰ Ernie Garza, Department of Public Works, City of Newman. Email to Kristin Faoro at QuadKnopf. February 4, 2005.

¹¹ Ernie Garza, Department of Public Works, City of Newman. Personal communication with Allegra Churchill, DC&E. May 19, 2005.

¹² Michael Holland, Planning Director, City of Newman. Personal communication with Alegra Churchill, DC&E. May 19, 2005.

3. Standards of Significance

The proposed project would have a significant impact to wastewater service if it would:

- ◆ Require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- ◆ Result in a determination by the wastewater treatment provider which serves or may serve the City that it has inadequate capacity to serve the General Plan's projected demand in addition to the provider's existing commitments.
- ◆ Exceed wastewater treatment requirements of the applicable RWQCB.

4. Impact Discussion

a. Project Impacts

The following provides an analysis of the potential impact of the General Plan on the provision of wastewater treatment services to Newman.

i. Provision of Adequate Treatment Capacity

Implementation of the proposed General Plan would be expected to result in additional growth requiring additional wastewater treatment capacity. Based on a domestic/commercial wastewater generation rate of 103 gallons per capita per day (gpcd), new residential and commercial growth would be expected to generate an additional average daily annual flow of 3.11 million gallons per day (mgd).¹³ Additional wastewater flows would be generated by new industrial development under the proposed General Plan.¹⁴

¹³ The domestic/commercial wastewater generation rate of 103 gpcd is from Carollo Engineers, City of Newman Technical Memorandum No.1 Historical and Projected Flows and Loads, August 2003, page 2-3.

¹⁴ Industrial wastewater flows can vary greatly by the specific use and the flow projections used in the City of Newman Technical Memorandum No.1 Historical and Projected Flows and Loads, August 2003 are not meaningful for analysis of wastewater flows from industrial buildout under the proposed General Plan.

Recognizing the need to plan for adequate sewer capacity, the General Plan includes policies addressing the provision of wastewater treatment. Policy PFS-3.1 requires that the City expand and develop wastewater collection and treatment facilities to accommodate the needs of existing and planned development. Recognizing the need to tie growth to the provision of public services and utilities, including wastewater facilities, Policy LU2.2 states that the City shall ensure that growth, through a Citywide Services Master Plan, will occur in pace with the city's ability to provide adequate services.

To meet the future demand for wastewater treatment, additional facilities, including treatment facilities, as well as collection and conveyance infrastructure, will be needed. The improvements to the treatment plant would primarily occur within the existing property, while the conveyance infrastructure would occur wherever new development occurs.

The specific environmental impact of constructing new wastewater facilities to support the General Plan cannot be determined at this first-tier level of analysis. However, development and operation of new facilities may result in potentially significant impacts that are addressed by various plans, policies and mitigation measures identified in other sections of this EIR. As specific projects including wastewater system improvements are identified, additional project-specific, second-tier environmental analysis would be completed pursuant to CEQA.

ii. Compliance with Treatment Requirements

Since the City is correcting existing violations and will be required to comply with RWQCB when expanding the plant to support the General Plan, implementation of the General Plan would not result in exceeding RWQCB water treatment requirements.

b. Cumulative Impacts

Future growth would result in demand for wastewater services throughout the region. However, only growth within Newman and its SOI would result in the need for the City to construct additional wastewater facilities, resulting

in additional environmental impacts. Since the proposed General Plan includes policies to tie development with the provision of utilities and avoid creating a project-level significant impact associated with wastewater availability, it *would not contribute to a cumulative impact* associated with the provision of wastewater service.

5. Impacts and Mitigation Measures

Since no project-level significant impacts related to sewer infrastructure and treatment requirements were identified as a result of the General Plan, no mitigation measures are required. Policies and mitigation measures that are identified in other sections of this EIR would also apply to any unforeseen impacts associated with the construction and operation of sewer infrastructure.

C. Storm Water

The City of Newman is responsible for stormwater collection, drainage and disposal in Newman. The applicable regulations, existing drainage system and future demand for stormwater drainage are discussed in this section.

1. Regulatory Framework

There are several federal, State, regional and local regulations and regulatory agencies that affect stormwater drainage within Newman. Section 4.8 Hydrology and Water Quality discusses these in detail. They include the federal Water Pollution Control Act (Clean Water Act), the State Water Resources Control Board, and the Central Valley Regional Water Quality Control Board. The City has not adopted a stormwater drainage master plan.

2. Existing Setting

The City of Newman maintains and services all storm drains within the City. In addition to the storm drains, some agricultural ditches used for irrigation supply and tailwater runoff are also located within the proposed SOI. These

ditches are maintained by the CCID. Some city storm drains such as the Westside storm drain and the M Street storm drain receive CCID tailwater.¹⁵

Drainage within the Planning Area generally flows from west to east. Storm runoff is collected in underground pipes and the CCID ditches and piped to a pump station at Inyo Avenue and Canal School Road. A major pipe along Inyo Avenue collects drainage from the City pipe system north of Inyo Avenue. This pipe is the main bottleneck in the present system and the City plans on upgrading about 750 to 1,000 feet of the pipe to 60-inch diameter. After this upgrade, the storm drain system will be adequate to serve existing and approved new development. The storm drainage system also includes five lift stations to pump stormwater. This pump is system is currently operating below capacity.¹⁶

The stormwater system also include open channel storm drain runs from the railroad west to Hills Ferry Road along Sherman Parkway and collects from the northeast area of the City. In the southwest part of town, the CCID Clery Ditch collects from the Creekbridge subdivision. The CCID Miller Ditch runs near Shiells Road and drains Stephens Ranch and Creek Canyon areas.

Currently a large portion of the city discharges into the Wasteway without water quality treatment. As the city population approaches 10,000, Phase II NPDES permitting, which may involve treatment and monitoring, will be required.

3. Standards of Significance

The proposed project would have a significant impact to the stormwater collection system if it would:

¹⁵ *Newman General Plan Background Report*, October 20, 1992, page VI-4.

¹⁶ Garza, Ernie. Director. Department of Public Works, City of Newman. Personal communication with Michael Brilliot, DC&E. June 29, 2006.

- ◆ Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

4. Impact Discussion

a. Project Impacts

As development occurs, as allowed under the General Plan, there will be a need for additional stormwater drainage facilities to collect and dispose of runoff from urban uses. Section 4.8, Hydrology and Water Quality, describes in detail the policies contained in the General Plan to ensure that adequate stormwater facilities are provided by new development.

Because the General Plan is general in nature, the exact location of future stormwater drainage facilities is unknown at this time. However, as new development would be required to provide adequate facilities to store stormwater runoff on-site, it is anticipated that new facilities will be scattered through out the city and SOI.

The specific environmental impact of constructing new stormwater facilities to support the General Plan cannot be determined at this first-tier level of analysis. However, development and operation of new facilities may result in potentially significant impacts that are addressed by various plans, policies and mitigation measures identified in other sections of this EIR. As specific projects including stormwater drainage are identified, additional project-specific, second-tier environmental analysis would be completed pursuant to CEQA.

b. Cumulative Impacts

Future regional growth would result in increased demand for additional stormwater drainage infrastructure throughout the County. However, only growth within Newman's proposed SOI would result in the need for the City to construct additional stormwater drainage infrastructure, resulting in additional environmental impacts. The above project-level analysis for the proposed General Plan took into consideration all potential growth within the

area that would require stormwater drainage infrastructure in the proposed SOI, and no significant impact was identified in regards to the construction of new and expanded facilities. Therefore, there would be no cumulative impact associated with stormwater drainage infrastructure.

5. Impacts and Mitigation Measures

Since no project-level significant impacts related to stormwater facilities were identified as a result of the General Plan, no mitigation measures are required. Policies and mitigation measures that are identified in other sections of this EIR would also apply to any unforeseen impacts associated with the construction and operation of stormwater facilities.

D. Solid Waste

This section addresses the generation and disposal of solid waste, and how the General Plan will impact this service.

1. Regulatory Framework

The State of California is a national leader in establishing regulations for waste management. California's Integrated Waste Management Act of 1989 (AB 939) set a requirement for cities and counties throughout the State to divert 50 percent of all solid waste from landfills by January 1, 2000, through source reduction, recycling and composting. To help achieve this, the Act requires that each City and County prepare and submit a Source Reduction and Recycling Element. AB 939 also establishes the goal for all California counties to provide at least 15 years of on-going landfill capacity.

2. Existing Setting

The Bertolotti Disposal Company serves as the waste hauler for the City of Newman and serves approximately 3,000 households and businesses in and around Newman. Bertolotti collects recycling once every two weeks as well as normal household waste once a week.

In 2000, 49 percent of Newman's waste came from households and 51 percent came from businesses. Newman disposed of 3,344 tons of household waste, and the residential daily disposal rate was 3 pounds per resident per day. Business waste disposal in 2000 was 3,480 tons, and the employee daily disposal rate was 12.7 pounds per day.¹⁷

Of the 6,824 tons of non-recycled waste disposed of by Newman, 2,253 tons were landfilled at the Fink Road Landfill and 4,571 was burned at the Covanta Stanislaus Transformation Facility.¹⁸ Both facilities are located on Fink Road in Crows Landing.

Approximately 70 percent of the total garbage received at the Fink Road Landfill is processed at the on-site cogeneration plant, which is a waste-to-energy plant run by Covanta Energy. The remaining 30 percent, an average of 300 to 400 tons per day, is deposited in the landfill, with an additional 300 tons of ash generated by the waste-to-energy plant. The Fink Road Landfill has a permitted capacity until 2022 or 2023, depending on the type of permitted waste (ash generated by the co-generation plant versus municipal solid waste). When the cogeneration plant closes for maintenance, the landfill received 100 percent of the solid waste delivery. In order to accommodate waste after 2023, the Fink Road landfill is currently undergoing a permitting process with the County to expand its site westward on a portion of the 2,700 acres owned by the County. A recycling center would be included in this expansion to further reduce the amount of landfilled waste. The landfill is currently permitted to accept up to 2,400 tons per day.¹⁹

¹⁷ California Integrated Waste Management Board Jurisdiction Profile. Retrieved from www.ciwmb.ca.gov, April 28, 2005.

¹⁸ California Integrated Waste Management Board Jurisdiction Profile. Retrieved from www.ciwmb.ca.gov, April 28, 2005.

¹⁹ Garcia, Gerry and Grider, Ron. Stanislaus County Fink Road Landfill. Personal conversation with Lisa Fisher, DC&E. June 1, 2005 and June 27, 2005.

3. Standards of Significance

The proposed project would have a significant impact related to solid waste disposal if it would *not*:

- ◆ Be served by a landfill with sufficient permitted capacity to accommodate the buildout of the General Plan’s solid waste disposal needs.
- ◆ Comply with federal, State and local statutes and regulations related to solid waste and recycling.

4. Impact Discussion

a. Project Impacts

As Newman grows consistent with the proposed General Plan, there will be an increased generation of solid waste. Based on the 2000 per capita rate of 3 pounds of waster per day, the “expected” population increase that may occur under the proposed General Plan would result in the generation of an additional 54.5 tons of solid waste per day or approximately 19,874 tones per year. This is equal to about five percent of the remaining daily permitted capacity of the Fink Road Landfill when the co-generation plant is not operating, and about three percent of the remaining capacity when the plant is operating. As the solid waste generated by the growth allowed by the General Plan would be about three to five percent of the remaining daily permitted amount and the current landfill has capacity until 2022, or longer if it is expanded as planned, the proposed General Plan *would not exceed the capacity of the landfill*.

In addition, the General Plan includes policies to recognize that there is a need for adequate landfill capacity to serve existing and future development. Policy PFS-7.3 states that the City will coordinate with the Stanislaus County Public Works Department concerning the City’s continues use of the Stanislaus Resource Recovery Facility and the Fink Road landfill to ensure that adequate solid waste services are provided to the community.

The proposed General Plan also includes policies to encourage recycling and waste diversion to minimize the amount of solid waste generated by residents and businesses. Policy PFS-7.4 states that the City will seek to meet or exceed

all state laws relative to waste management and diversion. Policy PFS-7.1 states that the City will continue to comply with its State-approved Recycling Element and will update this Element as necessary. Actions PFS-7.1 and 7.2 identify the need to educate the public to reduce waste generation at the source and recycle when possible. These policies included in the General Plan will ensure that the *City complies with applicable regulations* related to the disposal and reduction of solid waste.

b. Cumulative Impacts

Growth within Stanislaus County would contribute to the need for adequate solid waste disposal facilities. As discussed for the project-level analysis, the Fink Road landfill has capacity until at least 2022 or 2023, and is planning for additional expansions to meet the regional demand for solid waste disposal. The cumulative population growth within the County was considered when evaluating the lifespan of the facility and planning for future expansions. As a result, it can be concluded that there would be adequate capacity to support regional increases in population, and a *significant cumulative impact would not occur*.

5. Impacts and Mitigation Measures

Since no project-level significant impacts were identified to solid waste as a result of the General Plan, no mitigation measures are required.

E. Energy Use and Conservation

This section describes current conditions and potential impacts of the General Plan with regard to energy use and conservation in Newman.

1. Regulatory Setting

There are a couple existing State and local regulations that work to reduce energy usage in new development.

a. State Title 24 Energy Standards

The State Title 24 energy standards have been adopted by the State to reduce the overall energy usage of new development. Title 24 requirements address a wide range of design and performance features of development, including as heating and cooling, shading and lighting, to list a few.

b. Newman Standard Conditions of Approval

As a standard Condition of Approval for new development projects, the City requires, consistent with the Subdivision Map Act, that development are designed to include passive solar energy conservation improvements. Additionally, a Passive Solar Energy Plan is required to be submitted to the Community Development Department for approval prior to construction of any lots.

2. Existing Setting

The energy shortages and accompanying high utility rates of the 1970s and the year 2000, as well as the recent and projected continued rise of the price of crude oil, has led to a heightened awareness of the need for energy conservation techniques as a means of saving money and natural resources. However, the benefits of energy conservation go well beyond financial savings for individual consumers. For example, the combustion of fossil fuels to produce heat or electricity, or to power internal combustion engines, has also been linked to poor air quality in the Central Valley, global warming and negative impacts on crops.

In Newman, energy conservation can be achieved from reducing electricity and private automobile use, encouraging alternative energy sources, efficiently siting buildings for optimal sun exposure, and implementing land use and transportation policies that encourage fewer and shorter vehicle trips. Energy efficiency is promoted in new development in Newman by enforcing the State (Title) 24 Building Codes on energy efficiency and by inclusion, on development projects, of its standard conditions on incorporating passive solar energy conservation. Additional energy efficiency can be achieved by requiring that new residential development meet the State of California's Energy Star. Energy Star qualified development or homes or those develop-

ments or homes that meet or exceed the state of California's Title 24 energy efficiency code by 15 percent. One recent example of a residential project in Newman that is an Energy Star qualified development is the 337-unit Sherman Ranch Development located along the south side of Sherman Parkway.

3. Standards of Significance

The proposed project would have a significant impact related to energy systems if it would:

- ◆ Result in the wasteful, inefficient and unnecessary consumption of energy during construction or operation.

4. Impact Discussion

a. Project Impacts

Implementation of the General Plan would result in the construction of additional urban uses that would utilize additional energy, both for the initial construction, as well as for the continued operation.

The General Plan includes policies and actions to help reduce the overall consumption of electricity and natural gas by new development. For example, Policy NR-5.1 states that new residential development shall meet the guidelines of the California Energy Star Homes Program, and meet or exceed the State Title 24 energy conservation standards by at least 15 percent. This policy also requires that new commercial and civic development meet or exceed the Title 24 energy conservation standards. In addition, Policy NR-5.3 states that the City shall encourage the use of passive solar design, renewable energy systems, including solar energy and green building techniques to improve energy conservation.

The proposed General Plan also includes a number of actions to promote and increase the conservation of energy. Actions include Action NR-5.1, which states that the City will explore the creation of incentives for development to incorporate resource conservation features in the design of projects and Action NR-5.2, which states that the City will provide information to residents

and developers about “green building” and sustainable site design principles and practices. To promote the use of alternative fuel vehicles, the Plan includes Action NR-5.3 that states the City will work with the private sector to establish an alternative fuel station on the West Side.

While new development will result in the increased demand for electricity and natural gas, implementation of the policies and actions contained in the General Plan would ensure that that implementation of the General Plan does not result in the wasteful, inefficient and unnecessary consumption of energy during construction or operation.

b. Cumulative Impacts

As growth occurs throughout Stanislaus County, there will be an increased demand for electrical and natural gas. As discussed above, Newman would avoid a significant project-level impact associated with the wasteful use of energy by implementing 2005 General Plan policies, as well as complying with State regulations. Similarly, other jurisdictions in Stanislaus County are required to meet State regulations in regards to energy conservation, such as required by Title 24. As a result, there *would not be a significant cumulative wasteful, inefficient or unnecessary use of energy.*

5. Impacts and Mitigation Measures

Since no project-level significant impacts related to energy usage were identified as a result of the General Plan, no mitigation measures are required.

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UTILITIES

5 ALTERNATIVES TO THE PROPOSED PROJECT

The proposed General Plan has been described and analyzed in the previous sections to determine the potential impact of the proposed General Plan on various environmental issues. The State CEQA Guidelines also require the description and comparative analysis of a range of reasonable alternatives to the proposed project that could feasibly attain the objectives of the project.

The following discussion is intended to inform the public and decision-makers of project alternatives that have been developed and the positive and negative aspects of those alternatives. In accordance with the CEQA Guidelines and procedures, three project alternatives, including the No Project Alternative are discussed below. CEQA Guidelines also require that the environmentally superior alternative be identified. This information is included at the end of this chapter. The three alternatives are:

- ◆ No Project Alternative
- ◆ Concentrated Growth Alternative
- ◆ Reduced Growth Alternative

The No Project Alternative is based on the existing 1992 General Plan. The other two alternatives, the Concentrated Growth Alternative and the Reduced Growth Alternative are based on the same assumptions, with regards to the goals and policies included in the proposed General Plan. The density and/or the amount of residential development in the three alternatives vary from the proposed General Plan, which affects the extent of development in Newman and the SOL.

Table 5-1 summarizes the key features of each alternative, while Table 5-2 summarizes the result of analyzing each alternative against the impact factors considered for the proposed General Plan, according to whether it would have a mitigating or adverse effect.

TABLE 5-1 **PROJECT ALTERNATIVES SUMMARY**

Alternative Features	proposed General Plan	No Project Alternative	Concentrated Growth Alternative	Reduced Density Alternative
New Residential Units	10,500	9,073	10,500	7,853
New Non-Residential Square Footage	5,036,000	6,357,762	5,036,000	3,229,275
Net Population Increase	36,300	30,848	36,300	27,443
Change in Urbanized Area Compared to proposed General Plan	0	-230	-477	-646

A. No Project Alternative

This section analyzes the No Project Alternative against the proposed General Plan.

1. Principal Characteristics

Under this alternative, the proposed General Plan would not be adopted and the existing 1992 General Plan would remain in effect. Thus, the City of Newman would develop differently in terms of the location and type of new development, land use designations, and the existing policy guidance for the City. As shown in Table 5-1, there would be fewer residential units and more non-residential growth under the No Project Alternative as compared to the proposed General Plan.

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 ALTERNATIVES TO THE PROPOSED PROJECT

TABLE 5-2 **COMPARISON OF PROJECT ALTERNATIVES**

Impact Factor	No Project Alternative	Concentrated Growth Alternative	Reduced Growth Alternative
Aesthetics	-	+	+
Agricultural Resources	+	+	+
Air Quality	++	+	++
Biological Resources	+	+	+
Cultural Resources	+	+	+
Geology and Soils	+	=	+
Hazards and Hazardous Materials	-	=	+
Hydrology and Water Quality	+	+	+
Land Use	=	=	=
Noise	++	=	++
Population and Housing	+	=	-
Public Services	+	=	+
Transportation	+	+	++
Utilities	+	=	+

++ Substantial improvement compared to the proposed project (avoids a significant and unavoidable impact)

+ Insubstantial improvement compared to the proposed project (improvement, but does not avoid a significant and unavoidable impact)

= Same impact as proposed project.

- Insubstantial deterioration compared to the proposed project (deterioration, but does not create a new significant impact)

-- Substantial deterioration compared to the proposed project (creates a new significant impact)

Note: Competing aspects within some factors would create both improvement and deterioration simultaneously for a single alternative. These trade-offs are discussed in the text.

The major difference between the No Project Alternative and the proposed General Plan occurs outside the Newman City limits, in the SOI. Figure 5-1 shows the land use designations and SOI included in the No Project Alternative (i.e. the 1992 General Plan). The major difference between the No Project Alternative and the proposed General Plan is that the proposed General Plan includes the expansion of the SOI approximately ¼ mile to the south to Hallowell Road, applies a new Very Low Density Residential (VLDR) overlay designation along the Central California Irrigation District (CCID) Canal and converts a portion of the land designated for Light Industrial (LI) uses in the north east portion of the No Project Alternative to Planned Mixed Residential Land Use Designation.

2. Impact Analysis

The No Project Alternative would have the following impacts relative to adoption of the proposed General Plan.

a. Aesthetics

Future development in Newman will change the appearance of the City under either the No Project Alternative or the proposed General Plan. Of specific concern for Newman, in terms of aesthetics, is preserving its traditional small-town character as well as the agricultural character created by the farm lands surrounding the city. The No Project Alternative contains fewer policies and actions specifically related to preserving and enhancing community character than the proposed General Plan. However, the No Project Alternative would not result in a new significant impact since the City does already have some guidance for new development that would occur under the No Project Alternative. Therefore, the No Project Alternative would be an insubstantial deterioration compared to the proposed General Plan.

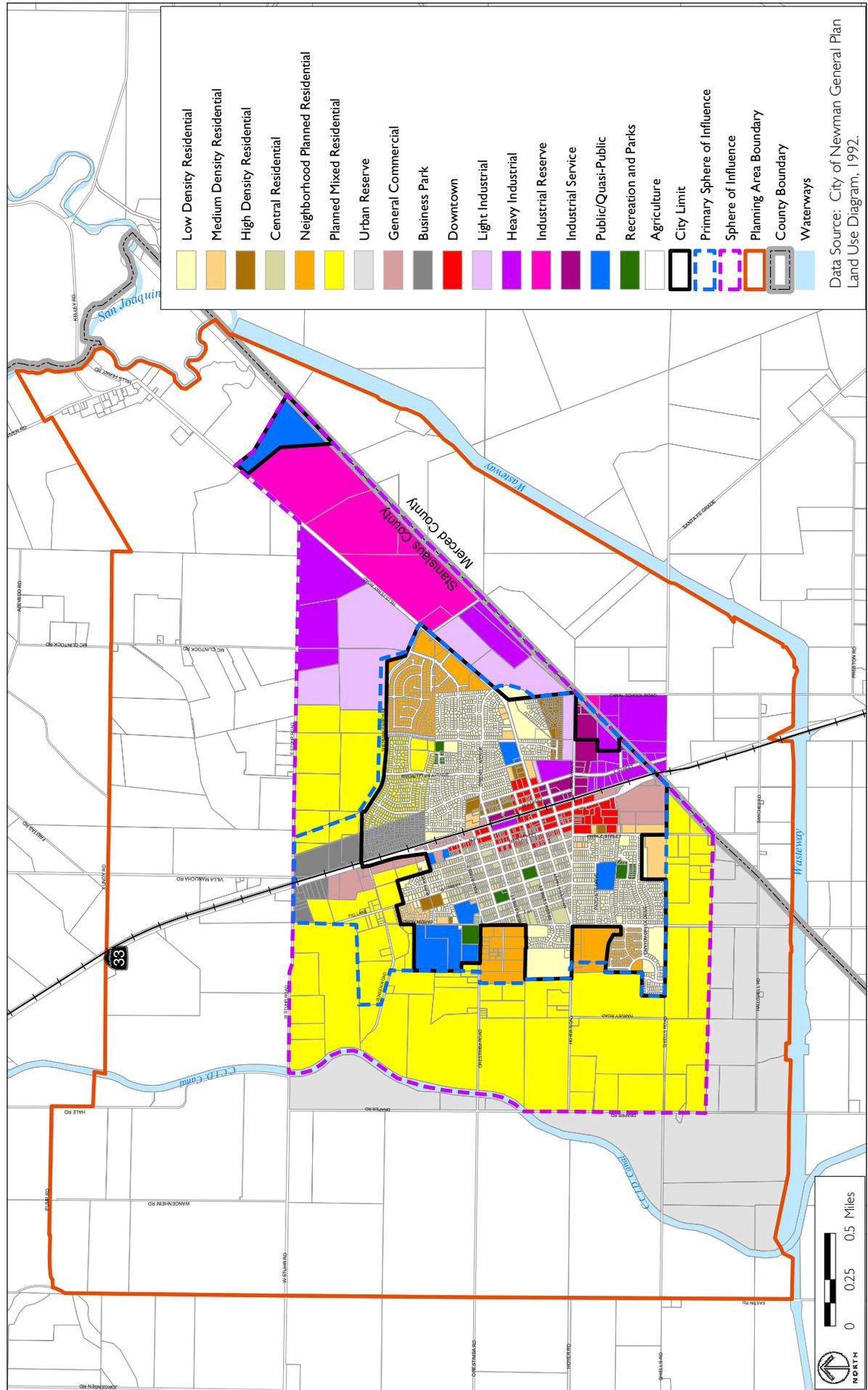


FIGURE 5-1

NO PROJECT ALTERNATIVE

b. Agricultural Resources

The No Project Alternative would designate 230 fewer acres for urban development, compared to the proposed General Plan. While some of this area may develop as very low density residential uses, as allowed by the City and County's agricultural designations, there would be an overall decrease in the amount of agricultural resources lost to urban development. As a result, the No Project Alternative would be an improvement over the proposed General Plan because it would result in the conversion of less agricultural land to urban uses. However, the No Project Alternative would still result in the conversion of some agricultural land and thus would not avoid a significant unavoidable impact. By not avoiding this significant unavoidable impact, the No Project Alternative is considered a insubstantial improvement over the proposed General Plan.

c. Air Quality

The No Project Alternative would create less of an air quality impact this alternative is projected to result in 18.5 per cent less vehicle miles traveled (VMT) than the proposed General Plan. While the No Project Alternative would result in fewer emissions, it would not avoid a significant impact associated with cumulative air pollutant emissions. However, the No Project Alternative would avoid the significant, unavoidable impact created by the proposed General Plan related to consistency with the Clean Air Plan. This is because the population growth for Newman under the No Project Alternative would not increase above that assumed in the adopted regional Clean Air Plan, since the Clean Air Plan is based on the 1992 General Plan. Since the No Project Alternative would avoid a significant unavoidable impact, the alternative would be a substantial improvement to the proposed General Plan.

d. Biological Resources

The No Project Alternative would reduce the area of agricultural and vacant lands that would be annexed into the Newman city limits and potentially developed for urban uses. These are the areas most used for breeding, foraging and shelter for a variety of common wildlife species. Both the No Project

Alternative and the proposed General Plan include policies that would avoid potentially significant impacts to biological resources; however, the proposed General Plan's goals and policies go further than the No Project Alternative in supporting the long-term preservation and management of open space areas. Although the proposed General Plan includes more policies pertaining to the protection of open space and wildlife and would avoid a significant, unavoidable project-related impact, the cumulative conversion of open space land to urban use is considered a significant unavoidable impact. While the No Project Alternative would result in less open space being converted to urban uses, it would also still contribute to a significant, unavoidable cumulative impact related to the loss of biological resources. However, because the No Project Alternative would result in the conversion of less land to urban uses it is considered to be an insubstantial improvement compared to the proposed General Plan.

e. Cultural Resources

The No Project Alternative would reduce the amount of land converted from farmland to urban development. As a result, there would be a decrease in the amount of land that would be graded as part of construction activities, thereby reducing the risk of encountering subsurface cultural resources. However, the proposed General Plan includes policies to mitigate impacts to cultural resources to a less-than-significant level. As a result, the No Alternative would be considered an insubstantial improvement to the proposed General Plan.

f. Geology and Soils

The No Project Alternative would result in a smaller number of new residents and new development subject to risk from geological and soils-based hazards than the proposed General Plan. However, the proposed General Plan includes policies and actions, and new development under the proposed General Plan that would be subject to local, state and federal regulations to reduce the potential for geology or soils related impacts to a less-than-significant level. As a result, the No Project Alternative would result in an insubstantial improvement over the proposed General Plan.

g. Hazards and Hazardous Materials

The No Project Alternative would result in a smaller amount of new residential development and would therefore expose fewer people to hazards and hazardous materials. Compared to the proposed General Plan, this alternative would, however, result in the slight increase in industrial uses, which could increase the number of potential new hazardous material generators and therefore could expose people to more industrial related hazardous materials. While new development under both the No Project Alternative and the proposed General Plan would be subject to local, State and federal regulations that would reduce the potential for hazards and hazardous materials to a less-than-significant level, the proposed General Plan contains additional policies that would reduce potential impacts from hazards and hazardous materials. Therefore, the overall no Project Alternative would result in an insubstantial deterioration in the level of risk relative to the proposed General Plan.

h. Hydrology and Water Quality

The No Project Alternative would reduce the amount of land converted from agriculture to urban development, thereby reducing the possibility of discharge of soils and other pollutants, often associated with urban runoff and construction activities. In addition, the No Project Alternative would reduce the amount of land subject to grading for construction. However, this area may still be cleared on a regular basis for agricultural activities, leaving bare soil open to erosion. Both the No Project Alternative and the proposed General Plan include policies that would avoid potentially significant impacts to water quality, however the proposed Plan's goals and policies go further than the No Project Alternative in regulating discharge from non-point source pollutants.

The No Project Alternative and the proposed General Plan contain the same amount of land planned for urban uses that is subject to the 100-year floodplain from the San Joaquin River and the Orestimba Creek. Both also would expose the same number of residents and potential employees to the risk of damn inundation. The No Project Alternative and the proposed General Plan contain identical policies to reduce the risks associated with flooding.

Overall, the No Project Alternative would be an insubstantial improvement over the proposed General Plan in regards to hydrology and water quality.

i. Land Use

Neither the No Project Alternative nor the proposed General Plan would divide any existing communities and both would be subject to similar policies and legal requirements concerning updates of other land use plans and requirements for consistency. Therefore, the No Project Alternative would be considered to have a similar impact as the proposed General Plan.

j. Noise

The No Project Alternative would generate less traffic and therefore less traffic-generated noise than the proposed General Plan. Of these roadways, State Route 33, Upper Road, Prince Street, Barrington Avenue, Merced Street, Hills Ferry Road, Canyon Creek Drive, Kern Street, Driskell Avenue, and Inyo Avenue are adjacent to existing residences within Newman and would experience significant traffic noise increases. Residences located adjacent to roadways with low existing traffic volumes would also experience an increase in noise level, including Fig Lane, Main Street, Balsam Drive, Eucalyptus Avenue, Orestimba Road, and Hoyer Road. Although the proposed General Plan includes policies and actions that would serve to reduce the identified noise increases in Newman, it does not eliminate the significant unavoidable impact with regard to noise. Therefore, the No Project Alternative would be substantially better than the proposed General Plan.

k. Population and Housing

As mentioned before, the No Project Alternative would reduce the population and the amount of residential development in Newman. However, neither the No Project Alternative nor the proposed General Plan would result in displacement of substantial numbers of existing housing or people. The proposed General Plan would have more of a negative impact on the jobs/housing mix but would not create a significant impact. As a result, the No Project Alternative would be insubstantially better than the proposed General Plan with regards to population and housing.

l. Public Services

The No Project Alternative would range between 5452 fewer persons at buildout than the proposed project, which would place a smaller demand on public services. However, since the proposed General Plan includes a range of policies that would ensure the adequate provision of services, resulting in a less-than-significant impact. Therefore the No Project Alternative would be an insubstantial improvement over the proposed General Plan.

m. Transportation

The No Project Alternative would generate less traffic than the proposed General Plan since there would be less development. The No Project Alternative would yield 370,260 daily vehicle miles of travel (VMT), whereas the proposed General Plan would yield 454,460 VMT. While the No Project Alternative would generate less traffic, the alternative does not provide, in detail, the improvements that would be necessary for the roadway system to accommodate projected traffic volumes. Nevertheless the analysis of future traffic shows that the proposed General Plan would result in levels of services that exceed “C” on more roadway segments than in the No Project Alternative. The No Project Alternative avoids significant impacts by maintaining a level of service of “C” or better on portions of Highway 33, Stuhr Road, Sherman Parkway, Driskell Avenue, Merced Street, Hills Ferry Inyo Avenue and Shiells Road. Therefore, the No Project Alternative would be a substantial improvement compared to the proposed General Plan.

n. Utilities

The No Project Alternative would result in approximately 5452 fewer persons at buildout than the proposed General Plan, which would place a smaller demand on utilities. However, the No Project Alternative would still contribute to a significant cumulative impact regarding water supply. As a result, the No Project Alternative would be an insubstantial improvement over the proposed General Plan.

B. Concentrated Growth Alternative

This section analyzes the Concentrated Growth Alternative against the proposed General Plan.

1. Principal Characteristics

The Concentrated Growth Alternative assumes the same final number of residential units and square footage of employment generating use in 2030 as the proposed General Plan, as well as the same goals, policies and actions. However, the increased density of residential development would reduce the amount of agricultural land needed to provide the same growth capacity by 477 acres. Some Low Density Residential areas in the City limits and proposed SOI would be designated as High and Medium Density Residential. The higher density residential development in the city would relieve the pressure for the city to expand the SOI to further outlying areas. The SOI in this Concentrated Growth Alternative is shown in Figure 5-2.

2. Impact Analysis

The Concentrated Growth Alternative would have the following impacts relative to the proposed General Plan.

a. Aesthetics

The farmland surrounding Newman provides scenic views beyond the city. The Concentrated Growth Alternative would preserve 477 acres of farmland compared to the proposed General Plan, which would reduce the visual change associated with the change of land use. However, the proposed General Plan contains policies and actions to reduce the potential for aesthetics related impacts to a less-than-significant level. Therefore, the Concentrated Growth Alternative would be an insubstantial improvement over the proposed General Plan.

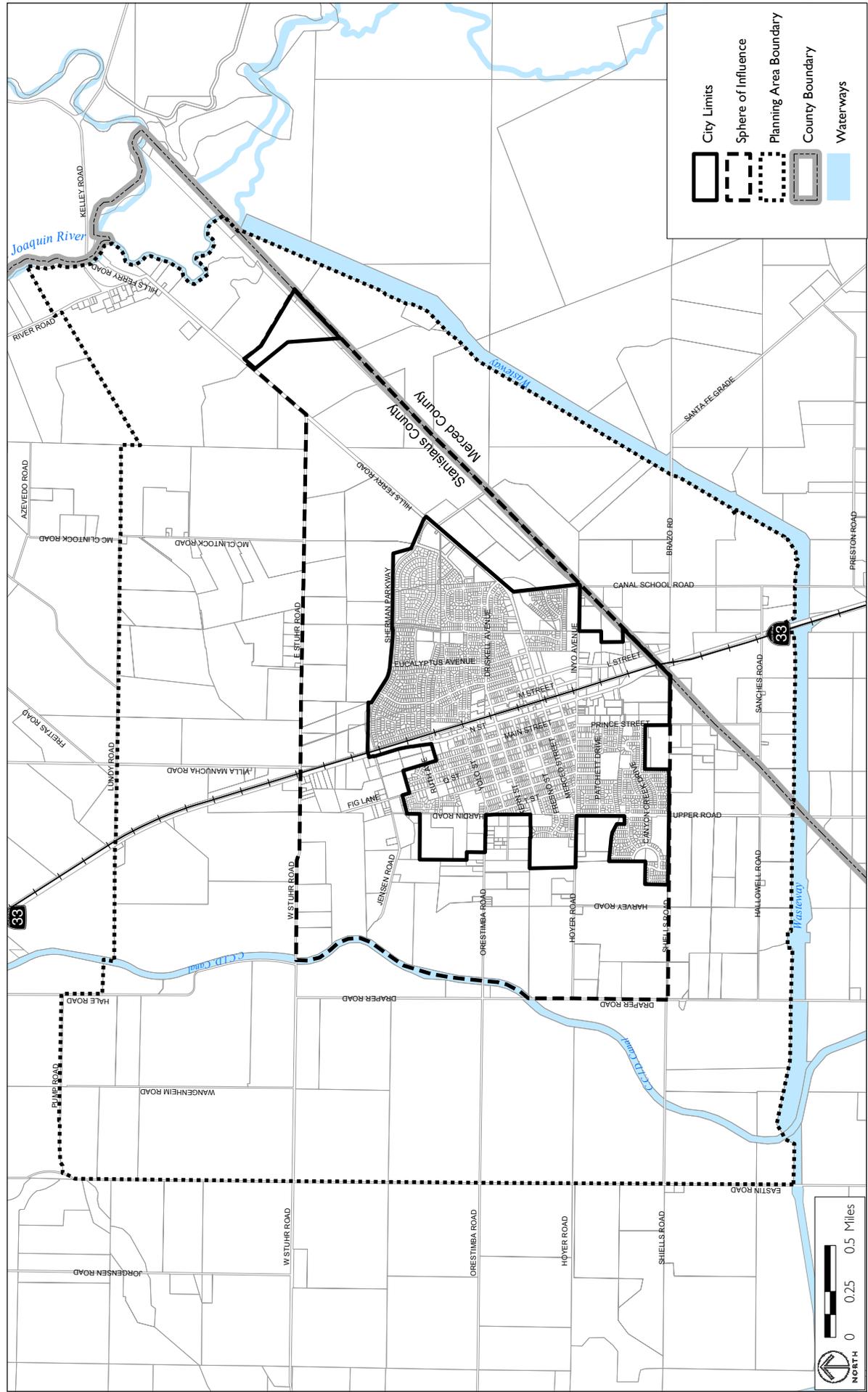


FIGURE 5-2

CONCENTRATED GROWTH ALTERNATIVE

b. Agricultural Resources

The Concentrated Growth Alternative would convert fewer acres of Prime Farmland and Unique Farmland to urban development. While some of this agricultural land may develop as very low intensity residential uses, as allowed by the City and County's agricultural designations, there would still be a decrease in the amount of agricultural resources lost to urban development. Nevertheless, this alternative would still result in a significant and unavoidable impact. Therefore, the Concentrated Growth Alternative would be an insubstantial improvement compared to the proposed General Plan.

c. Air Quality

The Concentrated Growth Alternative would increase the density of residential development closer to proposed commercial areas. As a result, there may be a slight decrease in vehicle trips generated by residents since they may walk more or bicycle to local stores. However, since the Concentrated Growth Alternative would result in the same amount of development as the proposed General Plan, it would still result in the same significant impacts since the number of increased bicycle and pedestrian trips would not significantly reduce emissions. Therefore, the Concentrated Growth Alternative is considered an insubstantial improvement to the proposed General Plan.

d. Biological Resources

The Concentrated Growth Alternative would reduce the amount of land converted from farmland to urban development, which would reduce the potential that other sensitive biological resources would be affected since less land would be urbanized. However, this alternative would still contribute to the significant cumulative impact associated with regional loss of biological resources. Therefore, the Concentrated Growth Alternative would result in an insubstantial improvement to biological resources.

e. Cultural Resources

The reduction in converted farmland associated with the Concentrated Growth Alternative would decrease the amount of land that would be graded as part of construction activities. As a result, there would be a reduction in

the amount of risk for encountering subsurface cultural resources. However, since the proposed General Plan includes policies to mitigate impacts to cultural resources to a less-than-significant level, the Concentrated Growth Alternative would only result in an insubstantial improvement to cultural resources.

f. Geology and Soils

The Concentrated Growth Alternative would result in the same number of people subject to the risk of geological and soils-based hazards as the proposed General Plan. The Alternative would also be subject to the same policies and actions in the proposed General Plan, as well as federal, State, and local regulations. This would reduce the potential for a geology or soils related impact to a less-than-significant level. As a result, the Concentrated Growth Alternative would have similar impacts as the proposed General Plan.

g. Hazards and Hazardous Materials

The Concentrated Growth Alternative would result in the same number of housing units and non-residential square footage as the proposed General Plan. Therefore this alternative would generate a similar increase in population and amount of hazardous materials and waste as the proposed General Plan. The Concentrated Growth Alternative would be subject to the same General Plan policies and actions, as well as federal, State and local regulations, that would reduce the potential for a hazards and hazardous materials related impact to a less-than-significant impact. The Concentrated Growth Alternative would result in a similar impact as the proposed General Plan.

h. Hydrology and Water Quality

The Concentrated Growth Alternative would reduce the amount of land converted from farmland to urban development, thereby reducing the possibility of discharge of soils and other pollutants, often associated with urban runoff and construction activities. However, this area may still be cleared on a regular basis for agricultural activities, leaving bare soil open to erosion. Urban development under this alternative would be subject to the same General Plan policies and actions, as well as federal, State and local regulations,

which reduce the potential impacts on hydrology and water quality to a less-than-significant level, as with the proposed General Plan. With regard to flooding, the Concentrated Growth Alternative would locate slightly fewer residents in the 100 year flood plain than the proposed General Plan. Given this, the Concentrated Growth Alternative would result in an insubstantial overall improvement to hydrology and water quality in comparison to the proposed General Plan.

i. Land Use

The Concentrated Growth Alternative would not divide any existing communities, similar to the proposed General Plan. The alternative would also be subject to the same proposed General Plan policies in regards to updating other land use plans and policies for consistency, and so the Concentrated Growth Alternative would have a similar land use impact as the proposed General Plan.

j. Noise

The Concentrated Growth Alternative would result in the same number of housing units and non-residential square footage, so it would generate a similar number of vehicle trips and a similar amount of noise generated from those vehicles and result in the same significant impact of traffic noise along major roadways. The alternative would include the same General Plan noise policies as the proposed General Plan. As a result, the Concentrated Growth Alternative would result in a similar noise impact in comparison to the proposed General Plan.

k. Population and Housing

The Concentrated growth Alternative would result in the same number of housing units and non-residential square footage, so it would induce the same planned population growth as the proposed General Plan. As with the proposed General Plan, this alternative would not require displacement of housing and population. Therefore, the Concentrated Growth Alternative would result in a similar housing and population impact as the proposed General Plan.

l. Public Services

The Concentrated Growth Alternative would result in the same number of housing units and non-residential square footage as the proposed General Plan and therefore would require a similar demand for public services. The alternative would include the same General Policies to address the provision of public services and mitigation of potential impacts associated with the construction of new facilities. Therefore, the Concentrated Growth Alternative would result in a similar impact to public services as the proposed General Plan.

m. Transportation

The Concentrated Growth Alternative would result in the same number of housing units and non-residential square footage, so it would generate a similar number of vehicle trips but it would not be enough to avoid any of the significant impacts generated by the proposed General Plan. There maybe a slightly reduced trip generation achieved if the proximity of residential and commercial uses inherent to this alternative eliminates some local trips. The alternative would include the same General Plan policies and street improvements as the proposed General Plan. As a result, the Concentrated Growth Alternative may result in an insubstantial improvement in comparison with the proposed General Plan.

n. Utilities

The Concentrated Growth Alternative would result in the same number of housing units and non-residential square footage, and therefore a similar increase in demand for utilities as the proposed General Plan. This alternative would include the same General Plan policies to address the provision of utilities and mitigation of potential impacts associated with the construction of new facilities but would still contribute to a significant impact related with regional water supply. As a result, the Concentrated Growth Alternative would result in the same utilities impacts as the proposed General Plan.

C. Reduced Growth Alternative

This section analyzes the Reduced Growth Alternative against the proposed General Plan.

1. Principal Characteristics

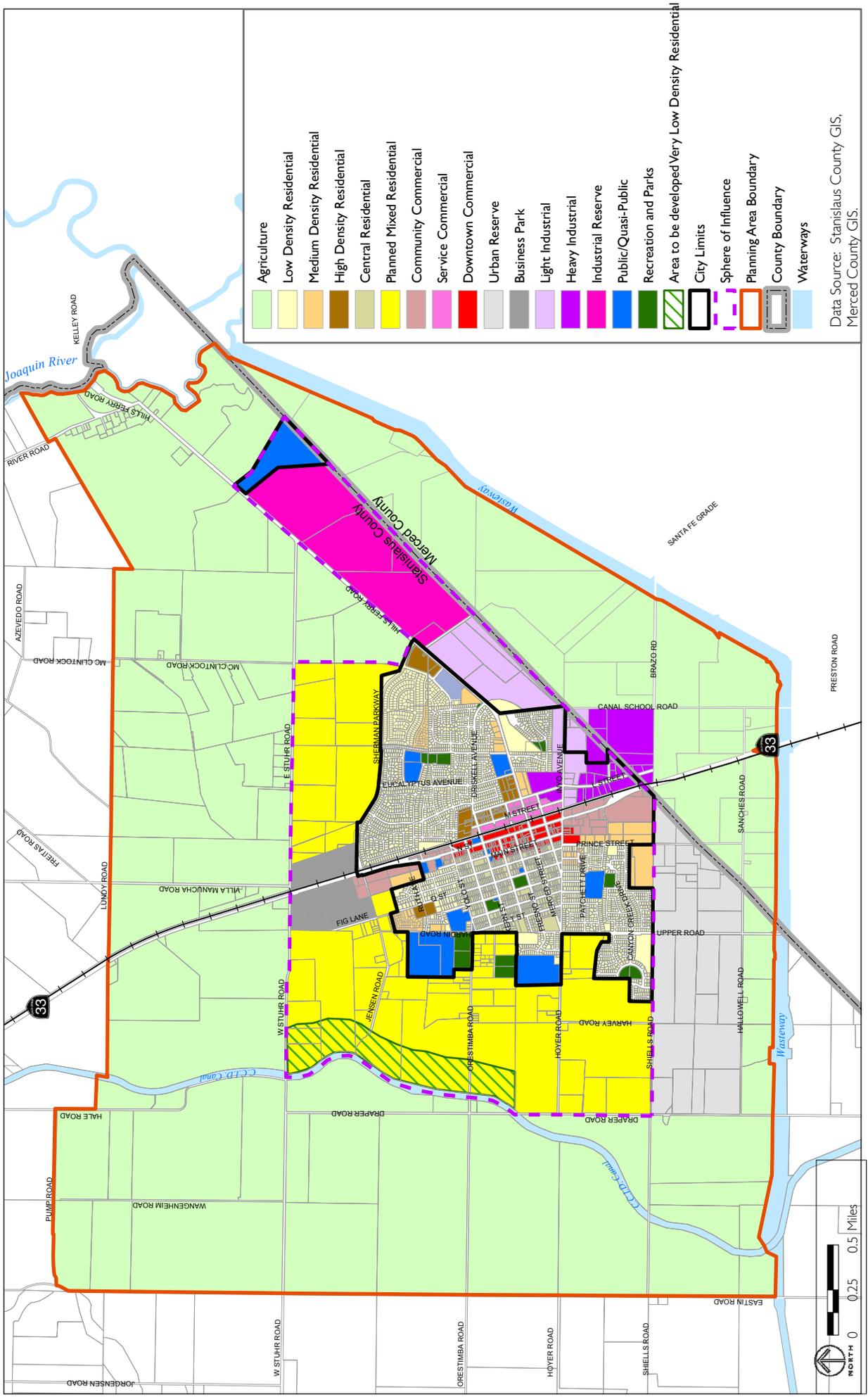
The Reduced Growth Alternative would decrease the overall amount of land planned for new urban development as well as reduce the total number of new residential units and non-residential square footage. As shown in Figure 5.3 the land located between Shiells Road and Hallowell Road is designated in this alternative as Urban Reserve where as this same land is designated for residential uses in the proposed General Plan. The Urban Reserve land use designation denotes land that is not planned for development in the lifetime of the General Plan and would remain in agricultural use at least through the year 2030.

The Reduced Growth Alternative would also designate the 169 acres located southwest of the intersection of Hills Ferry Road and Stuhr Road for agricultural uses. The proposed General Plan designates these same acres for Light Industrial uses.

The Reduced Growth Alternative would include the same goals, policies and actions as the proposed General Plan.

2. Impact Analysis

The Reduced Density Alternative would have the following impacts relative to adoption of the proposed General Plan.



Data Source: Stanislaus County GIS,
 Merced County GIS.

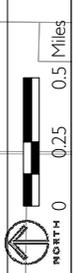


FIGURE 5-3

REDUCED GROWTH ALTERNATIVE

a. Aesthetics

The Reduced Growth Alternative would preserve 646 acres of farmland from converting to urban uses, which would reduce the visual damage associated with the change in land use. However, the policies and actions contained in the proposed General Plan mitigate the impact to aesthetics to a less-than-significant level. Therefore, the Reduced Growth Alternative would be considered an insubstantial improvement compared to the proposed General Plan.

b. Agricultural Resources

The Reduced Growth Alternative would convert 591 fewer acres of Prime Farmland and Unique Farmland to urban uses. While some agricultural land may develop as very low intensity residential uses, as allowed by the City and County's agricultural designations, there would be a decrease in the amount of agricultural resources lost to urban development. The loss of agricultural resources that would result from the Reduced Growth Alternative is a significant unavoidable impact. Therefore, the Reduced Growth Alternative would have an insubstantial improvement compared to the proposed General Plan.

c. Air Quality

The Reduced Growth Alternative would decrease the ultimate population in Newman by 8,857 people, resulting in less vehicle trips than the proposed General Plan. Nevertheless, this Alternative would not avoid a significant impact associated with cumulative air pollutant emissions. However, the No Project Alternative would avoid the significant, unavoidable impact caused by inconsistency with the San Joaquin Valley Air Pollution Control District's (SJVAPCD) Clean Air Plans. This is because the Reduced Growth Alternative would result in less urban growth and therefore less population than the No Project Alternative or 1992 General Plan. With less population growth than the 1992 General Plan, the VMT for this Alternative would also be lower than the projected 1992 General Plan VMT used by StanCOG's projections, and then used by SJVAPCD in the regional clean air planning efforts. Since the Reduced Growth Alternative would avoid a significant unavoidable

impact, the alternative would be a substantial improvement to the proposed General Plan.

d. Biological Resources

The Reduced Growth Alternative would decrease the amount of land converted from farmland to urban development, which would limit the potential that other sensitive biological resources would be affected since less land would be urbanized. However, this alternative would still contribute to the significant cumulative impact associated with regional loss of biological resources. Therefore, the Reduced Growth Alternative would result in an insubstantial improvement to biological resources.

e. Cultural Resources

The reduction in converted farmland associated with the Reduced Growth Alternative would decrease the amount of land that would be graded as part of construction activities. As a result, there would be a reduction in the amount of risk for encountering subsurface cultural resources. However, since the proposed General Plan includes policies to mitigate impacts to cultural resources to a less-than-significant level, the Reduced Growth Alternative would only result in an insubstantial improvement to cultural resources.

f. Geology and Soils

The Reduced Growth Alternative would result in fewer people subject to the risk of geological and soils-based hazards as the proposed General Plan. The Alternative would also be subject to the same policies and actions in the proposed General Plan, as well as federal, State, and local regulations. This would reduce the potential for a geology or soils related impact to a less-than-significant level as with the proposed General Plan. Overall, the Reduced Growth Alternative would result in an insubstantial improvement to reducing potential geology or soils related impacts, but would not eliminate any significant unavoidable impacts.

g. Hazards and Hazardous Materials

The Reduced Growth Alternative would result in a reduced number of housing units and non-residential square footage, so the alternative would generate a smaller population and amount of hazardous materials and waste than the proposed General Plan. The Reduced Growth Alternative would be subject to the same General Plan policies and actions, as well as federal, State and local regulations, that would reduce the potential for a hazards and hazardous materials related impact to a less-than-significant impact as with the proposed General Plan. Overall, the Reduced Growth Alternative would result in an insubstantial improvement to reducing the risks associated with hazards and hazardous materials, but would not eliminate any significant unavoidable impacts.

h. Hydrology and Water Quality

The Reduced Growth Alternative would reduce the amount of land converted from farmland to urban development, thereby reducing the possibility of discharge of soils and other pollutants, often associated with urban runoff and construction activities. However, this area may still be cleared on a regular basis for agricultural activities, leaving bare soil open to erosion. Urban development under this alternative would be subject to the same proposed General Plan policies and actions, as well as federal, State and local regulations, which reduce the potential impacts on hydrology and water quality to a less-than-significant level, as with the proposed General Plan.

With regard to flooding, the Reduced Growth Alternative would locate slightly fewer residents in the 100 year flood plain than the proposed General Plan. Additionally, by designating the 169 acres of land at the southwest intersection of Stuhr Road and Hills Ferry Road for agricultural uses it would also expose fewer employees of industrial uses to the risks associated with dam inundation. Given the above, the Reduced Growth Alternative would result in an insubstantial overall improvement to hydrology and water quality in comparison to the proposed General Plan.

i. Land Use

Like the proposed General Plan, no communities will be divided as a result of the Reduced Growth Alternative. The alternative would also be subject to the same proposed General Plan policies in regards to updating other land use plans and policies for consistency, so the Reduced Growth Alternative would have a similar land use impact as the proposed General Plan.

j. Noise

The Reduced Growth Alternative would result in fewer housing units and a reduction in the amount of non-residential square footage, so it would generate a reduced number of vehicle trips and associated noise generated from those vehicles. The alternative would include the same General Plan noise policies as the proposed General Plan. While the Reduced Growth Alternative would not avoid the significant noise impact along major roadways it would significantly reduce vehicle related noise on numerous roadways, including major roadways, and would therefore result in substantial improvement related to noise.

k. Population and Housing

The Reduced Growth Alternative would result in a decreased number of housing units and non-residential square footage, so it would decrease the planned population growth compared to the proposed General Plan. However, the policies contained in the proposed General Plan reduce the potential for a significant impact to less-than-significant. As with the proposed General Plan, this alternative would not require displacement of housing and population. This Alternative would however, result in an insubstantial degradation of the jobs housing balance, Therefore, the Reduced Growth Alternative would, overall, result in an insubstantial deterioration of population and housing impacts when compared the proposed General Plan.

l. Public Services

The Reduced Growth Alternative would result in less housing units and less square footage of non-residential uses, and therefore a decrease in demand for public services as the proposed General Plan. This alternative would include

the same General Plan policies to address the provision of public services and mitigation of potential impacts associated with the construction of new facilities as with the proposed General Plan. Overall, the Reduced Growth Alternative would result in an insubstantial improvement to reducing the risks associated with the provision of additional public services and infrastructure, but would not eliminate any significant unavoidable impacts.

m. Transportation

The Reduced Growth Alternative would result in a reduced number of housing units and non-residential square footage, so it would generate fewer vehicle trips. The alternative would include the same General Plan policies and street improvements as the proposed General Plan. As a result, the Reduced Growth Alternative would reduce some of the significant unavoidable impact to portions of the circulation system in comparison with the proposed General Plan. Therefore, the Reduced Growth Alternative would be a substantial improvement compared to the proposed General Plan.

n. Utilities

The Reduced Growth Alternative would result in less housing units and less non-residential square footage, and therefore a decrease in demand for utilities as the proposed General Plan but would still contribute to a significant impact related to regional water supplies. This alternative would include the same General Plan policies to address the provision of utilities and mitigation of potential impacts associated with the construction of new facilities. As a result, the Reduced Growth Alternative would be an insubstantial improvement related to utilities impacts compared the proposed General Plan.

D. Environmentally Superior Alternative

CEQA requires the identification of the environmentally superior alternative in an EIR. Based on the above analysis, which is summarized in Table 5-2, the Reduced Growth Alternative is the Environmentally Superior Alternative. The Reduced Growth Alternative would also closely meet the Stanislaus

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County Association of Governments growth projections for the City of Newman in 2030.

6 CEQA-REQUIRED ASSESSMENT CONCLUSIONS

As required by CEQA, this chapter provides an overview of the impacts of the proposed General Plan based on the technical analyses presented in this EIR. The topics covered in this chapter include growth inducement; unavoidable significant effects; and expected significant irreversible changes. A more detailed analysis of the effects the proposed General Plan would have on the environment is provided in Chapter 4, Environmental Evaluation. Cumulative impacts are also discussed within each topical section in Chapter 4.

A. Growth Inducement

A project is typically considered to be growth-inducing if it fosters economic or population growth. Typical growth inducements might be the extension of urban services or transportation infrastructure to a previously unserved or under-served area or the removal of major barriers to development. Not all growth inducement is necessarily negative. Negative impacts associated with growth inducement occur only where the projected growth would cause adverse environmental impacts.

Growth-inducing impacts fall into two general categories: direct and indirect. Direct growth-inducing impacts are generally associated with the provision of urban services to an undeveloped area. The provision of these services to a site, and the subsequent development, can serve to induce other landowners in the vicinity to convert their property to urban uses. Indirect, or secondary growth-inducing impacts consist of growth induced in the region by the additional demands for housing, goods, and services associated with the population increase caused by, or attracted to, a new project.

1. Direct Impacts

The proposed General Plan would directly induce population, employment and economic growth by allowing for development in areas that are not currently designated for urban growth. Implementation of the proposed General Plan would result in the following growth patterns based on the “expected” growth assumptions for both the city and SOI:

- ◆ Under buildout conditions in 2030, the proposed General Plan would add an 30,201 new residents.
- ◆ Under buildout conditions in 2030, the proposed General Plan would add 8,773 residential units.
- ◆ Under buildout conditions in 2030, the proposed General Plan would add 1,765,000 new square feet of commercial uses and 5,036,000 new square feet of industrial uses.

The proposed General Plan includes policies to control how growth occurs within Newman and the SOI to ensure that it is well managed and to encourage in-fill development. This is addressed in Policy LU-2.2 of the proposed General Plan, which requires new development to build adjacent to previously incorporated or City-approved development. In addition, this policy requires planning for infrastructure including roads, sewer, water and storm drainage, and prohibits unincorporated islands or underdeveloped territory from being created. The City would preserve open space according to Policy LU-2.10, by maintaining land that is pending annexation to the City and development into urban uses, as agriculture, open space, or other low-intensity non-urban uses.

The proposed General Plan includes policies and actions that would maintain the small town character of Newman and minimize the environmental impacts of the anticipated growth. New developments would be required to emphasize pedestrian accessibility by Policy LU-2.8, which decreases the dependency on automobiles and facilitates the use of alternate forms of transportation. The City would attract a range of retail goods and services to meet the demands of Policy LU-5.1, to minimize the need for residents to shop outside the city. In addition, Policy LU-6.3 would promote the development of clean industries that do not pose a risk associated with water or air pollution, potential leaks or spills.

As a result, while the proposed General Plan would result in an increase of growth locally, the policies included in the proposed General Plan reduce the

potential for negative impacts associated with directly inducing growth outside the SOI to a *less-than-significant* level.

2. Indirect Impacts

While the proposed General Plan does allow additional growth, it also includes specific policies and actions that limit growth to the city limits and SOI. For example, Policies LU-2.1 and LU-2.2 work to discourage development outside the defined city limits and SOI. The proposed General Plan land use map also works to create a limitation to the expansion of urban growth by illustrating that growth resulting from the proposed General Plan is limited to Newman city limits and the city's proposed SOI. In addition, the land use plan also provides a mixture of housing, shopping and employment opportunities within Newman so that as the number of residents increase, they do not pressure adjacent communities to provide new commercial and employment opportunities. As a result, the proposed General Plan would result in a less-than-significant indirect negative growth inducing impact.

B. Unavoidable Significant Impacts

While the majority of impacts associated with the proposed General Plan would be reduced to a *less-than-significant* level, adoption and implementation of the proposed General Plan would result in the following *significant and unavoidable* impacts:

- ◆ **Impact AG-1:** While the policies and actions of the proposed General Plan would delay, reduce and partially offset the conversion of farmland, the conversion of prime farmland, unique farmland and farmland of state-wide importance to urban uses as a result of implementation of the proposed General Plan would remain a *significant and unavoidable impact*.
- ◆ **Impact AG-2:** Although the policies of the proposed General Plan would reduce the impact of conflicts with existing County agricultural designations and zoning, the conflict would be still result in a temporary *significant and unavoidable impact*.

- ◆ **Impact AG-3:** While the policies of the proposed General Plan would reduce the impact of the proposed General Plan on existing Williamson Act contracts, there would still be a *significant and unavoidable impact* to existing Williamson Act contracts resulting from the proposed General Plan.
- ◆ **Impact AG-4:** While the policies and actions of the proposed General Plan would delay, reduce and partially offset cumulative impacts on agriculture, the conversion of farmland and impairment of agriculture as a result of implementation of the proposed General Plan, together with other development in the county and the region, would be a *significant and unavoidable cumulative impact*.
- ◆ **Impact AIR-1:** Even through the proposed General Plan contains policies that reduce single-occupant vehicle trips and other air pollutants, the proposed General Plan would not be consistent with applicable air quality plans of the SJVAPCD, since population growth that could occur under the proposed General Plan would exceed that projected by StanCOG and used in projections for air quality planning. The projected growth would lead to an increase in the region's VMT, beyond that anticipated in the SJVAPCD's clean air planning efforts. As a result, the impact is considered *significant and unavoidable*.
- ◆ **Impact AIR-2:** Cumulative development in Newman and its SOI would contribute to on-going air quality issues in the San Joaquin Valley Air Basin. This cumulative impact would be considered *significant and unavoidable*.
- ◆ **Impact BIO-1:** While the proposed General Plan would reduce its project level impact to biological resources to a less-than-significant impact, it would still contribute to a *significant and unavoidable cumulative impact* associated with the loss of habitat for common and possible special-status species and the loss or displacement of wildlife that would have to compete for suitable habitats with existing adjacent populations.
- ◆ **Impact NOI-1:** Noise in Newman would increase significantly along many major roadways as development and population increase within

the community. Although proposed General Plan policies and actions would help to mitigate traffic noise increases, they could remain significant in some areas with the adoption and implementation of the proposed General Plan policies and actions. This impact is *significant and unavoidable*.

- ◆ **Impact TRAF-1:** Build out of the General Plan will result in LOS D, E or F conditions on various city streets which would operate at LOS C under the current General Plan. While improvements and policies contained in the proposed General Plan will help improve the operation of these roadway segments to the extent feasible, the impact will remain *significant and unavoidable*.
- ◆ **Impact TRAF-2:** Buildout of the proposed General Plan will add traffic to the inter-regional roadway system, including streets in Merced and Stanislaus County outside of the city's SOI. While the proposed General Plan includes policies to work with regional transportation providers to address the needed improvements, because the regional roadways are outside the City's authority to impose mitigation, and funding mechanisms are not in place to improve the regional roadways, the impact is considered a *significant and unavoidable* impact.
- ◆ **Impact TRAF-3:** Buildout of the Newman General Plan could result in peak hour LOS in excess of LOS C at existing intersection on city streets. While it is possible that subsequent project-level analysis outside the scope of the General Plan-level analysis will identify improvements that could yield LOS C, because additional improvements are uncertain due to existing development constraints, conditions in excess of LOS C at intersections on city streets is considered a *significant and unavoidable* impact.
- ◆ **Impact UTL-1:** While there is adequate localized water available to support the proposed General Plan, since there is no study to determine the overall cumulative impact of regional growth on the groundwater supply and associated availability of water to support growth, there is a possibility that the proposed General Plan could contribute to a *cumulative significant and unavoidable* impact associated with groundwater supply.

C. Significant Irreversible Changes

Section 15126.2(c) of the CEQA Guidelines requires a discussion of the extent to which a proposed project will commit nonrenewable resources to uses that future generations will probably be unable to reverse. An example of such an irreversible commitment is the construction of highway improvements that would provide public access to previously inaccessible areas.

A project would generally result in a significant irreversible impact if:

- ◆ Primary and secondary impacts would commit future generations to similar uses.
- ◆ The project would involve a large commitment of nonrenewable resources.
- ◆ The project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project.

1. Changes in Land Use that Commit Future Generations

Development under proposed General Plan would result in the conversion of vacant land to employment generating and residential uses, and the intensification of underutilized areas. This development would constitute a long-term commitment to residential, commercial, industrial, parking and other urban uses. The proposed General Plan would result in the commitment of 226 acres of land that are not already designated for development in the adopted General Plan.

2. Commitment of Resources

Development allowed under proposed General Plan would irretrievably commit nonrenewable resources to the construction and maintenance of buildings, infrastructure and roadways. These non-renewable resources include mining resources such as sand, gravel, steel, lead, copper and other metals. Buildout of the proposed General Plan also represents a long-term commitment to the consumption of fossil fuels, natural gas, and gasoline. Increased energy demands would be used for construction, lighting, heating, and cool-

ing of residences, and transportation of people within, to, and from the planning area. The proposed General Plan policies and actions promoting energy conservation (Natural Resources Element Policies NR-5.1 and 5.3 and Action 5.1) would result in some savings in non-renewable energy supplies.

Implementation of proposed General Plan would also result in an irreversible commitment of limited, renewable resources such as lumber and water. Policies and actions contained in the proposed General Plan that promote resource and water conservation and green building (Natural Resources Element Policies NR-5.2 and 5.3 and Actions 5.2 and 5.3) would result in some savings of renewable resources.

3. Irreversible Damage from Environmental Accidents

Irreversible changes to the physical environment could occur from accidental release of hazardous materials associated with development activities. However, compliance with State and federal hazardous materials regulations and General Plan policies, as outlined in Chapter 4.9, is expected to maintain this potential impact at a *less-than-significant* level.

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A P P E N D I X A

N O I S E D A T A



APPENDIX A: NOISE DATA

A. Existing Noise Environment

Figure A-1 shows the long- and short-term noise measurement locations in Newman. The diurnal noise levels measured at the 4 long-term locations are summarized in Figures A-2 through A-5.

B. Future Noise Environment

Table A-1 shows the calculated vehicular traffic noise levels for major roadways. A noise contour map for major ground transportation noise sources is provided in Figure A-6.

FIGURE A-1: NOISE MEASUREMENT LOCATIONS

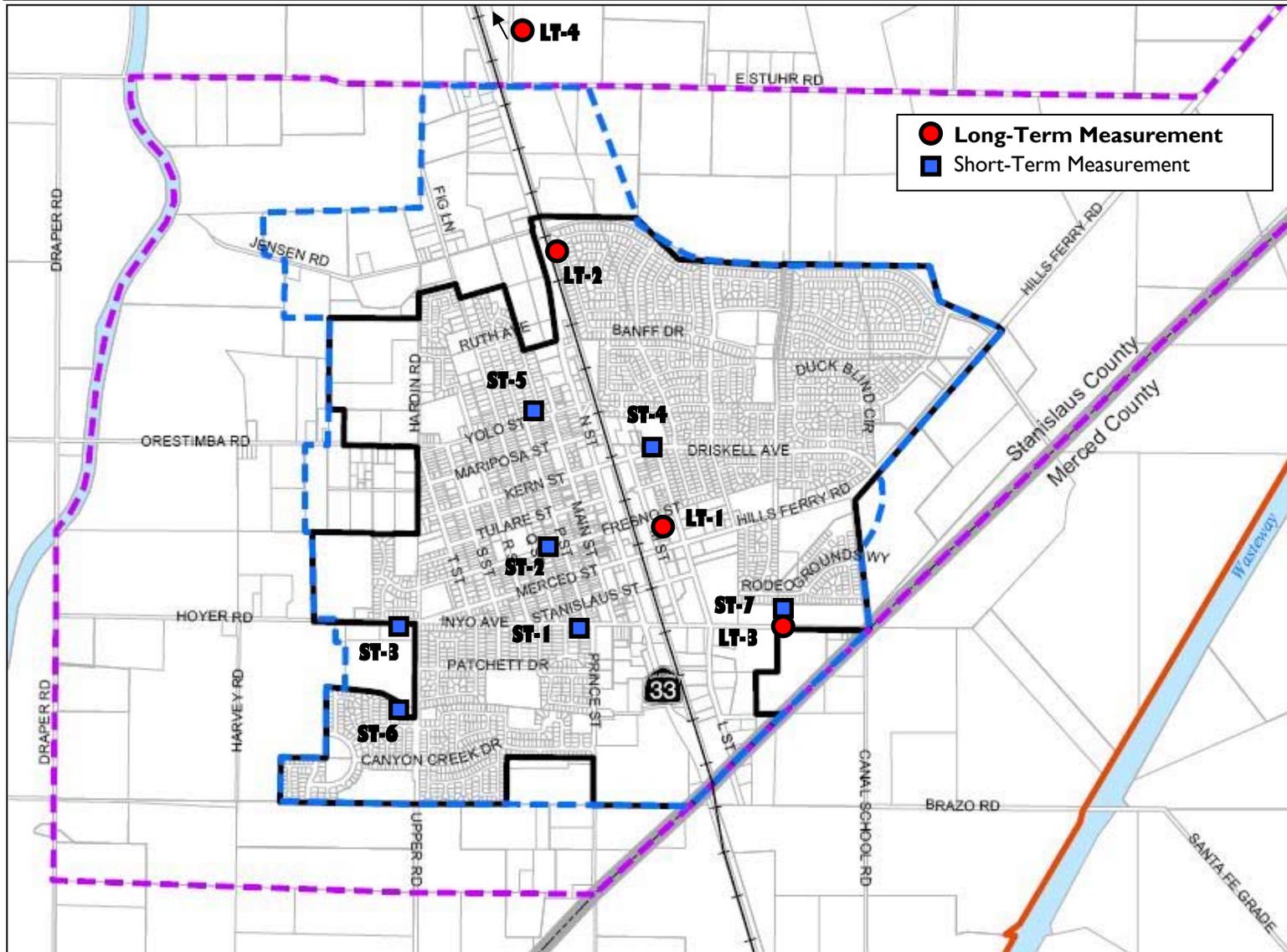


FIGURE A-2: DAILY TREND IN NOISE LEVELS AT LT-1

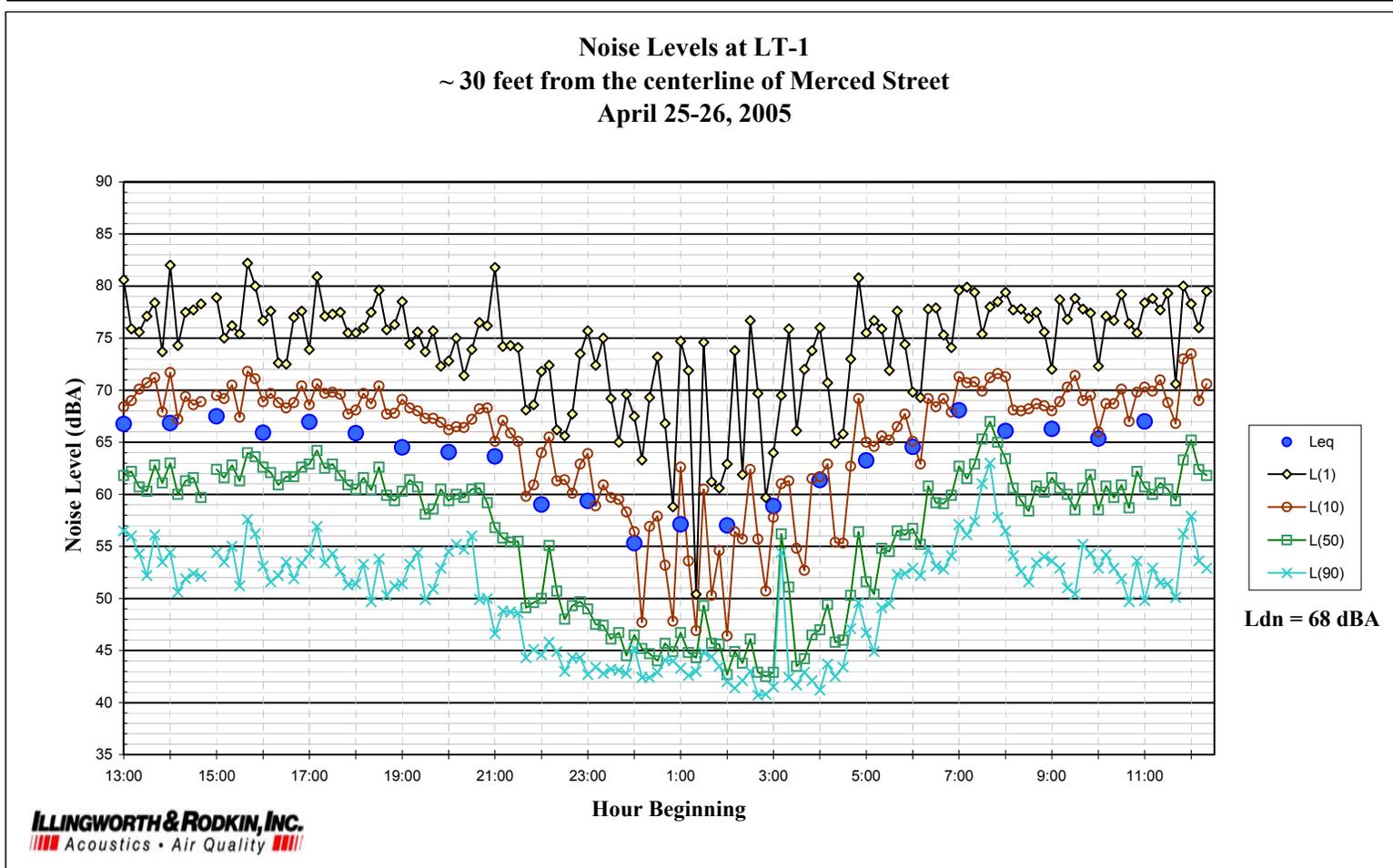


FIGURE A-3: DAILY TREND IN NOISE LEVELS AT LT-2

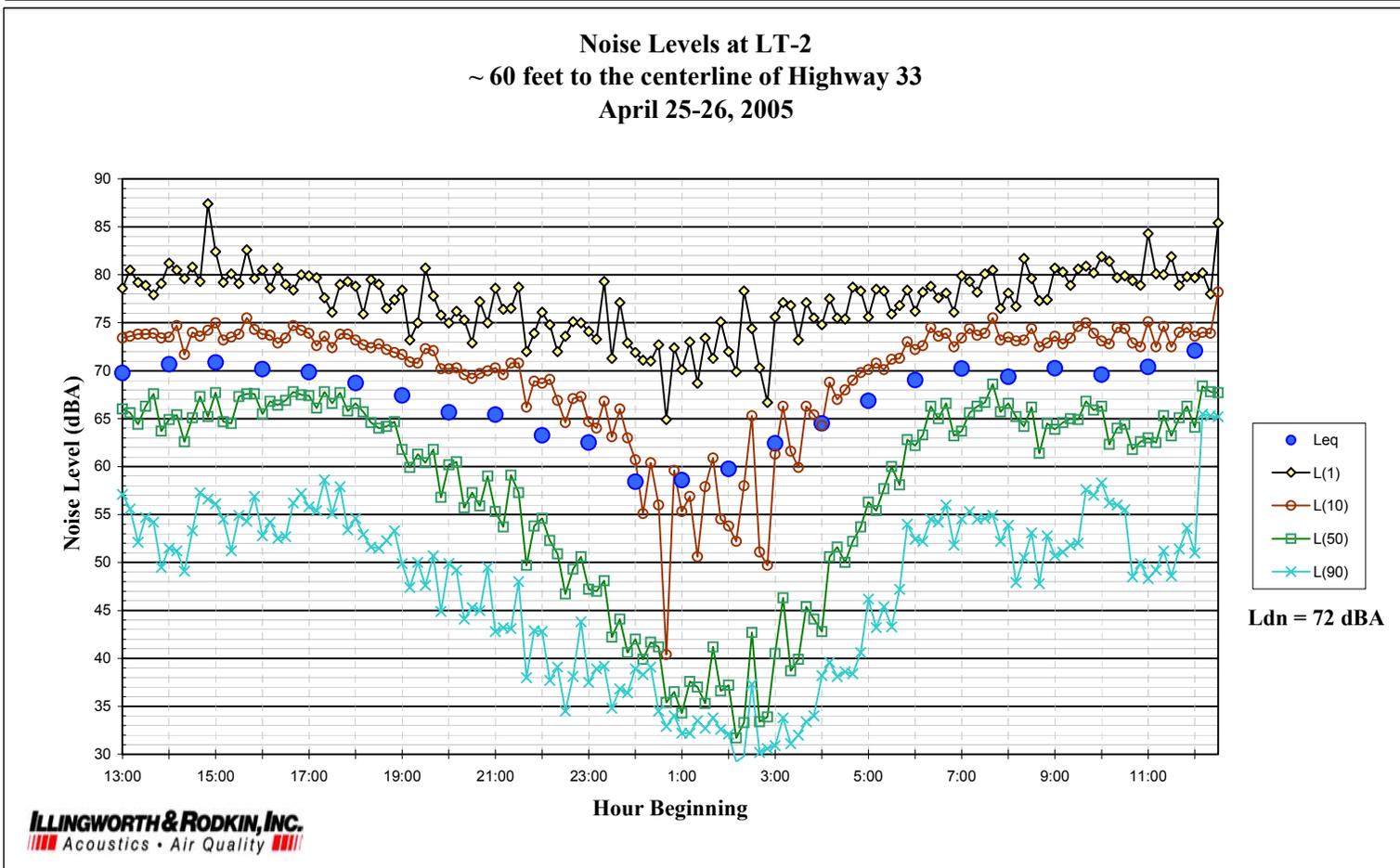


FIGURE A-4: DAILY TREND IN NOISE LEVELS AT LT-3

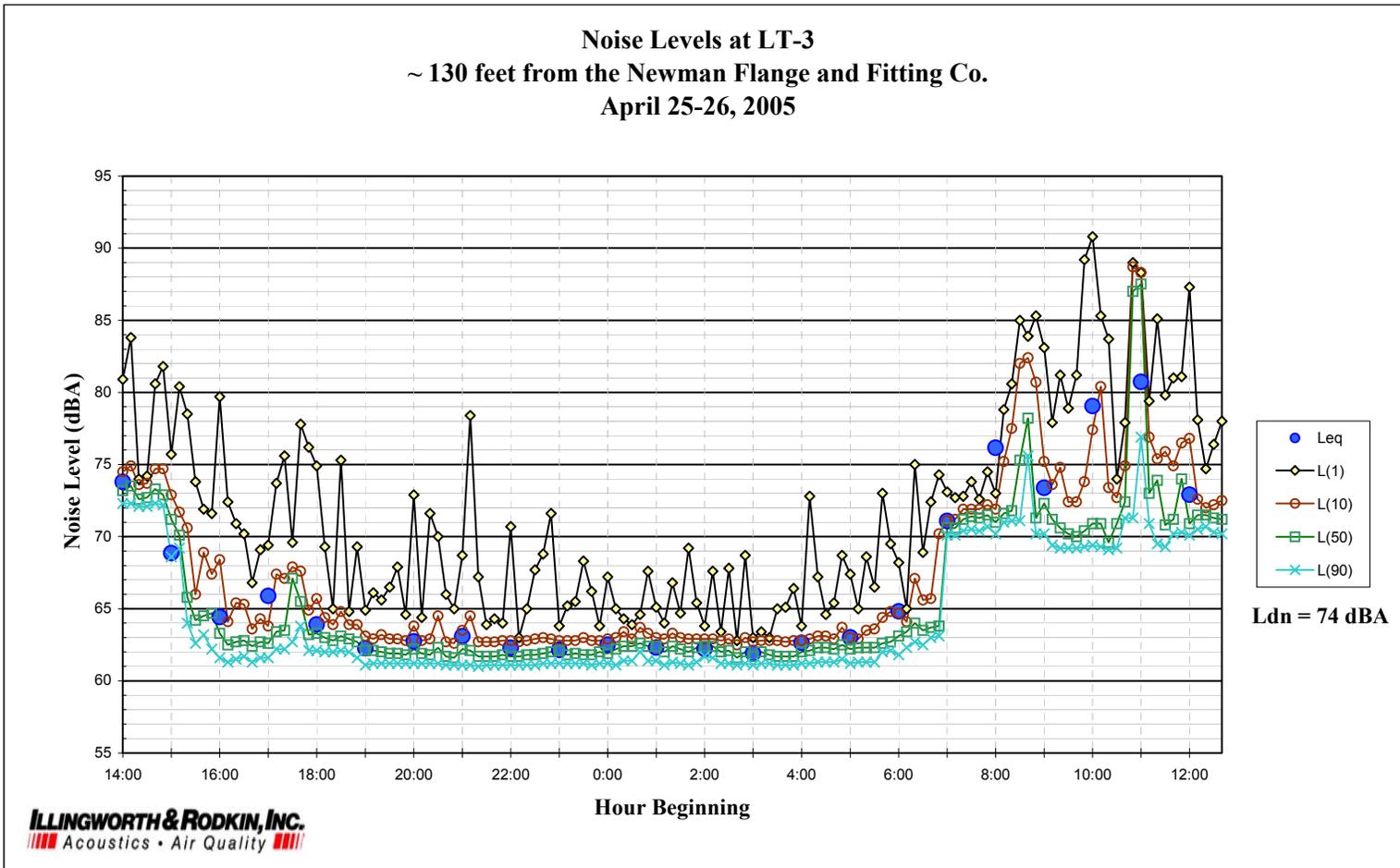
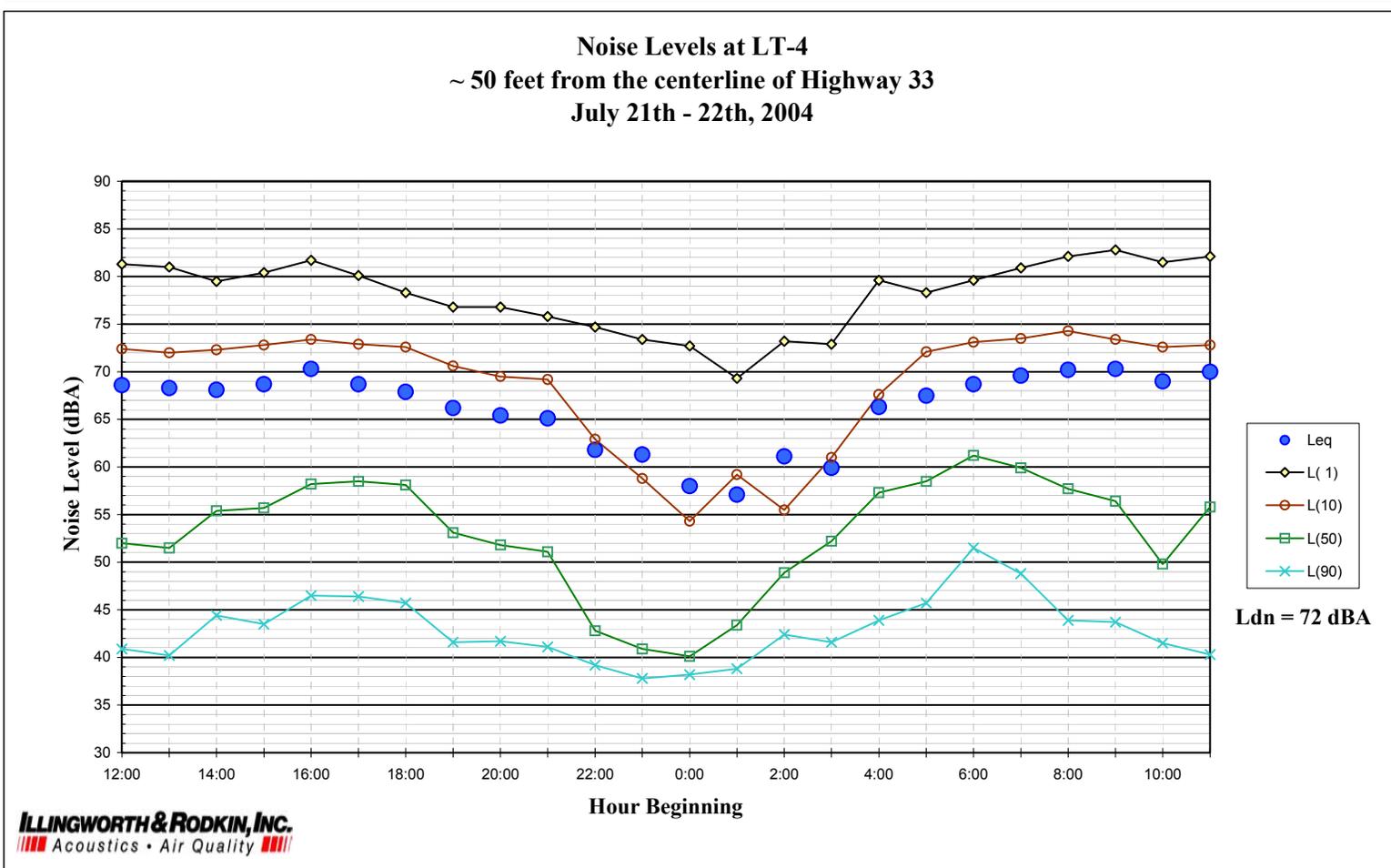


FIGURE A-5: DAILY TREND IN NOISE LEVELS AT LT-4



CITY OF NEWMAN
GENERAL PLAN ADMINISTRATIVE DRAFT EIR
APPENDIX A: NOISE DATA

TABLE A-1: CALCULATED VEHICULAR TRAFFIC NOISE LEVELS FOR MAJOR ROADWAYS

Street	From	To	Loudest Hour at 50 feet from Center of Near Lane		Distance from Center of Near Lane (in feet)*		
			Existing dBA	Proposed General Plan dBA	Proposed General Plan Buildout		
					70 L _{dn}	65 L _{dn}	60 L _{dn}
State Highway							
SR 33		Stuhr Road	70	76	120	250	540
	Stuhr Road	Jensen Road	72	78	170	370	790
	Jensen Road	Yolo Street	72	79	200	430	920
	Yolo Street	Kern Street	72	78	170	370	790
	Kern Street	Merced Street	72	78	170	370	790
	Merced Street	Inyo Avenue	72	78	170	370	790
	Inyo Avenue	City limits	72	78	170	370	790
	City limits	Shiells Road	72	75	110	230	500
	Shiells Road	Hallowell Road	**	76	130	270	580
	Hallowell Road		**	77	150	320	680
North-South Streets							
Draper Road	Stuhr Road	Orestimba Road	**	65	*	*	110
	Orestimba Road	Hoyer Road	58	65	*	50	110
	Hoyer Road	Shiells Road	**	62	*	*	70
	Shiells Road	Hallowell Road	**	61	*	*	60
West Parkway	Stuhr Road	Jensen Road	**	66	*	60	130
	Jensen Road	Orestimba Road	**	68	*	80	170
	Orestimba Road	Hoyer Road	**	68	*	80	170

TABLE A-1: **CALCULATED VEHICULAR TRAFFIC NOISE LEVELS FOR MAJOR ROADWAYS** (CONTINUED)

Street	From	To	Loudest Hour at 50 feet from Center of Near Lane		Distance from Center of Near Lane (in feet)*		
			Existing dBA	Proposed General Plan dBA	Proposed General Plan Buildout		
					70 L _{dn}	65 L _{dn}	60 L _{dn}
Collector	Hoyer Road	Shiells Road	**	67	*	70	150
	Shiells Road	Hallowell Road	**	66	*	60	130
	Orestimba Road	Hoyer Road	**	60	*	*	*
Upper Road	Hoyer Road	Canyon Creek Dr	**	57	*	*	*
	Hoyer Road	Canyon Creek Dr	63	70	*	100	220
	Canyon Creek Dr	Shiells Road	**	68	*	80	170
Hardin Road	Shiells Road	Hallowell Road	**	67	*	70	150
	Jensen Road	Yolo Street	**	64	*	*	90
	Yolo Street	Kern Street	**	65	*	*	110
Fig Lane	Kern Street	Merced Street	**	68	*	80	170
	Stuhr Road	Jensen Road	**	57	*	*	*
	Jensen Road	Yolo Street	***	68	*	80	170
Q Street	Yolo Street	Kern Street	**	64	*	*	90
	Kern Street	Merced Street	**	63	*	*	80
	Merced Street	Inyo Avenue	**	61	*	*	60
Prince Street	Inyo Avenue	Canyon Creek Dr	62	70	*	110	230
	Canyon Creek Dr	Shiells Road	**	68	*	80	170
	Shiells Road	Hallowell Road	**	58	*	*	*

TABLE A-1: **CALCULATED VEHICULAR TRAFFIC NOISE LEVELS FOR MAJOR ROADWAYS** (CONTINUED)

Street	From	To	Loudest Hour at 50 feet from Center of Near Lane		Distance from Center of Near Lane (in feet)*		
			Existing dBA	Proposed General Plan dBA	Proposed General Plan Buildout		
					70 L _{dn}	65 L _{dn}	60 L _{dn}
Main Street	Kern Street	Merced Street	54	64	*	*	100
M Street	Kern Street	Inyo Avenue	**	60	*	*	*
Collector	Stuhr Road	Sherman Parkway	**	64	*	*	90
Balsom Drive	Stuhr Road	Sherman Parkway	**	60	*	*	*
	Sherman Parkway	Banff Drive	**	61	*	*	60
	Banff Drive	Driskell Avenue	57	61	*	*	50
Eucalyptus Avenue	Stuhr Road	Sherman Parkway	**	59	*	*	*
	Sherman Parkway	Driskell Avenue	55	59	*	*	*
Barington Avenue	Stuhr Road	Sherman Parkway	**	59	*	*	*
	Sherman Parkway	Driskell Avenue	56	62	*	*	70
Canal School Rd	Hills Ferry Road	Brazo Road	63	70	*	110	230
McClintock Road	Stuhr Road	Collector	**	61	*	*	60
	Collector	Sherman Parkway	**	68	*	80	170
County Line Collector	Sherman Parkway	Merced Street	**	66	*	60	130
	Merced Street	Inyo Avenue	**	66	*	60	130
East-West Streets							
Stuhr Road		Draper Road	**	73	80	170	370
	Draper Road	Western Parkway	65	71	60	130	290

TABLE A-1: **CALCULATED VEHICULAR TRAFFIC NOISE LEVELS FOR MAJOR ROADWAYS** (CONTINUED)

Street	From	To	Loudest Hour at 50 feet from Center of Near Lane		Distance from Center of Near Lane (in feet)*		
			Existing dBA	Proposed General Plan dBA	Proposed General Plan Buildout		
					70 L _{dn}	65 L _{dn}	60 L _{dn}
	Western Parkway	Fig Lane	65	71	60	120	270
	Fig Lane	SR 33	65	71	60	120	260
	SR 33	Balsom Drive	61	71	60	120	260
	Balsom Drive	Eucalyptus Ave	61	70	50	110	240
	Eucalyptus Ave	McClintock Road	61	70	50	110	250
	McClintock Road	Hills Ferry Road	61	70	*	100	220
Collector	McClintock Road	Hills Ferry Road	**	64	*	*	90
		Western Parkway	**	65	*	*	110
	Western Pky		**	71	60	130	270
Jensen Road		Hardin Road	**	74	90	200	430
	Hardin Road	Fig Lane	***	75	110	230	500
	Fig Lane	SR 33	***	73	80	170	370
Sherman Parkway	SR 33	Railroad	**	76	130	270	580
	Railroad	Collector	**	76	130	270	580
	Collector	Balsam Drive	**	75	110	230	500
	Balsam Drive	Eucalyptus Ave	**	73	80	170	370
	Eucalyptus Ave	Barington Avenue	**	73	80	170	370
	Barington Ave	McClintock Road	**	72	70	150	320

TABLE A-1: **CALCULATED VEHICULAR TRAFFIC NOISE LEVELS FOR MAJOR ROADWAYS** (CONTINUED)

Street	From	To	Loudest Hour at 50 feet from Center of Near Lane		Distance from Center of Near Lane (in feet)*		
			Existing dBA	Proposed General Plan dBA	Proposed General Plan Buildout		
					70 L _{dn}	65 L _{dn}	60 L _{dn}
	McClintock Road	Hills Ferry Road	**	70	*	110	230
	Hills Ferry Road		**	68	*	80	170
Orestimba Road	Draper Road	Western Parkway	***	66	*	50	120
	Western Pky	Collector	***	67	*	60	140
	Collector	Hardin Road	***	67	*	70	150
Yolo Street	Hardin Road	Q Street	**	70	*	110	230
	Q Street	SR 33	68	71	60	130	290
Kern Street	Hardin Road	Q Street	**	63	*	*	80
	Q Street	Main Street	**	64	*	*	90
	Main Street	SR 33	**	67	*	70	150
	SR 33	Railroad	62	67	*	70	150
Driskell Ave	Railroad	M Street	62	67	*	70	150
	M Street	Balsam Drive	**	67	*	70	150
	Balsam Drive	Eucalyptus Ave	**	65	*	*	110
	Eucalyptus Ave	Barington Ave	**	64	*	*	90
Hoyer Road	Barington Ave	Hills Ferry Road	**	64	*	*	90
	Draper Road	Western Parkway	59	71	60	120	270
	Western Parkway	Collector	59	72	60	140	300

TABLE A-1: **CALCULATED VEHICULAR TRAFFIC NOISE LEVELS FOR MAJOR ROADWAYS** (CONTINUED)

Street	From	To	Loudest Hour at 50 feet from Center of Near Lane		Distance from Center of Near Lane (in feet)*		
			Existing dBA	Proposed General Plan dBA	Proposed General Plan Buildout		
					70 L _{dn}	65 L _{dn}	60 L _{dn}
	Collector	Upper Road	59	72	70	160	340
	Inyo Avenue	Hardin Road	**	72	70	150	320
	Hardin Road	Q Street	62	69	*	90	200
	Q Street	Main Street	62	72	70	150	320
Merced Street	Main Street	SR 33	**	71	60	130	270
	SR 33	Railroad	65	71	60	130	270
	Railroad	M Street	65	71	60	130	270
	M Street	Brookhaven Dr	**	71	60	130	270
	Brookhaven Dr	Canal School Rd	**	73	80	170	370
	Driskell Avenue	Sherman Parkway	68	75	110	230	500
Hills Ferry Road	Sherman Parkway	Collector	**	75	110	230	500
	Collector	Stuhr Road	**	71	60	130	270
	Stuhr Road		**	72	70	150	320
Inyo Avenue	Hardin Road	Q Street	58	62	*	*	70
	Q Street	Prince Street	**	64	*	*	90
	Prince Street	Main Street	**	65	*	*	110
	Main Street	SR 33	**	63	*	*	80
	SR 33	Railroad	57	67	*	60	140

TABLE A-1: **CALCULATED VEHICULAR TRAFFIC NOISE LEVELS FOR MAJOR ROADWAYS** (CONTINUED)

Street	From	To	Loudest Hour at 50 feet from Center of Near Lane		Distance from Center of Near Lane (in feet)*		
			Existing dBA	Proposed General Plan dBA	Proposed General Plan Buildout		
					70 L _{dn}	65 L _{dn}	60 L _{dn}
	Railroad	L Street	57	67	*	60	140
	L Street	Canal School Rd	**	65	*	*	110
		Upper Road	**	57	*	*	*
Canyon Creek Dr	Upper Road	Prince Street	56	62	*	*	60
	Draper Road	Western Parkway	**	59	*	*	*
	Western Parkway	Upper Road	**	71	60	130	270
Shiells Road	Upper Road	Prince Road	**	71	60	130	270
	Prince Road	SR 33	**	69	*	90	200
	SR 33	Railroad	**	69	*	90	200
Brazo Road	Railroad	Canal School Rd	**	69	*	90	200
	Draper Road	Western Pky	***	61	*	*	60
Hallowell Road	Western Pky	Upper Road	***	60	*	*	*
	Upper Road	Prince Road	**	63	*	*	80
	Prince Road	SR 33	**	64	*	*	90
Sanchez Road	SR 33	School Canal Rd	**	67	*	70	150

* Distances of less than 50 feet are not included in this table.

** Existing traffic volumes were not provided.

*** Existing traffic volumes were less than 900 ADT.

FIGURE A-6: **NOISE CONTOUR MAP FOR MAJOR GROUND TRANSPORTATION NOISE SOURCES**

TO BE PROVIDED

A P P E N D I X B

TRAFFIC REPORT



**CITY OF NEWMAN GENERAL PLAN:
DEIR CIRCULATION / TRANSPORTATION**

EXISTING CONDITIONS / STANDARDS

Level of Service Thresholds – Daily Traffic Volumes

To describe current traffic conditions and address long term circulation needs, it is necessary to compare existing traffic volumes and future forecasts to Level of Service thresholds employed by applicable planning agencies. "Level of Service" is a qualitative measure of traffic operating conditions whereby a letter grade, "A" through "F", corresponding to progressively worsening traffic operating conditions, is assigned to an intersection or roadway segment. The City of Newman General Plan indicates that LOS "C" is the applicable design standard.

Levels of Service can be calculated in several ways. For planning purposes, generalized thresholds that equate daily traffic volumes to probable peak hour Level of Service are often employed. The General Plan for Newman makes use of generalized Level of Service thresholds derived from the 2000 Traffic Impact Fee Program traffic study, as presented in Table 1. Daily traffic volumes within each range would be likely to deliver the associated Level of Service during peak hours. However conditions during non-peak hours would typically be better.

**TABLE 1
GENERAL LEVEL OF SERVICE THRESHOLDS BASED ON TRAFFIC IMPACT FEE STUDY**

LOS	V/C	Classification				
		Arterial Street				Collector Street
		State Highway		City Street		
		4 Lane	2 Lane	4 Lane	2 Lane	2 Lane
A	<0.60	< 21,000 – 24,000	< 10,500 – 12,000	< 18,000 – 22,800	< 9,000 – 11,400	9,000
B	<0.70	< 24,500 – 28,000	< 12,250 – 14,000	< 21,000 – 26,600	< 10,500 – 13,300	10,500
C	<0.80	< 28,000 – 32,000	< 14,000 – 16,000	< 24,000 – 30,400	< 12,000 – 15,200	12,000
D	<0.90	< 31,500 – 36,000	< 15,750 – 18,000	< 27,000 – 34,200	< 13,500 – 17,600	13,500
E	<1.00	< 35,000 – 40,000	< 17,500 – 20,000	< 30,000 – 38,000	< 15,000 – 19,000	15,000

Intersection Levels of Service

As development occurs and roadway facilities are designed, more sophisticated methodologies are employed to equate traffic flow to operating Levels of Service. Because the overall quality of traffic flow in urban areas is usually governed by the operation of major intersections, evaluation of the

intersection Levels of Service occurring during peak commute hours is conducted. While this level of analysis is beyond the requirements of long range planning for general plan buildout, evaluation of current intersection traffic operations provides additional background regarding the existing circulation system.

The procedures contained in the *2000 Highway Capacity Manual (HCM)* are the basis for determining intersection Levels of Service. The HCM makes use of the concept of *Average Delay* to categorize various Levels of Service, and Table 2 summarizes the Level of Service characteristics of various intersection types.

**TABLE 2
LEVEL OF SERVICE DEFINITIONS - INTERSECTIONS**

Level of Service	Signalized Intersection	Unsignalized Intersection	Roadway (Daily)
"A"	Uncongested operations, all queues clear in a single-signal cycle. Delay ≤ 10.0 sec	Little or no delay. Delay ≤ 10 sec/veh	Completely free flow.
"B"	Uncongested operations, all queues clear in a single cycle. Delay > 10.0 sec and ≤ 20.0 sec	Short traffic delays. Delay > 10 sec/veh and ≤ 15 sec/veh	Free flow, presence of other vehicles noticeable.
"C"	Light congestion, occasional backups on critical approaches. Delay > 20.0 sec and ≤ 35.0 sec	Average traffic delays. Delay > 15 sec/veh and ≤ 25 sec/veh	Ability to maneuver and select operating speed affected.
"D"	Significant congestion of critical approaches but intersection functional. Cars required to wait through more than one cycle during short peaks. No long queues formed. Delay > 35.0 sec and ≤ 55.0 sec	Long traffic delays. Delay > 25 sec/veh and ≤ 35 sec/veh	Unstable flow, speeds and ability to maneuver restricted.
"E"	Severe congestion with some long standing queues on critical approaches. Blockage of intersection may occur if traffic signal does not provide for protected turning movements. Traffic queue may block nearby intersection(s) upstream of critical approach(es). Delay > 55.0 sec and ≤ 80.0 sec	Very long traffic delays, failure, extreme congestion. Delay > 35 sec/veh and ≤ 50 sec/veh	At or near capacity, flow quite unstable.
"F"	Total breakdown, stop-and-go operation. Delay > 80.0 sec	Intersection blocked by external causes. Delay > 50 sec/veh	Forced flow, breakdown.
Overall Level of Service for unsignalized intersections is average delay experienced by all motorists.			
Sources: 2000 <u>Highway Capacity Manual</u> , Transportation Research Board (TRB) Special Report 209.			

Existing Traffic Conditions

As part of this General Plan Update new traffic counts were conducted at locations on the arterial and collector street system in Newman. This sample of current traffic volumes was intended to look at those roads which already carry major traffic volumes and which are expected to carry high traffic volumes in the future. These counts were conducted in May 2005. Data for SR 33 was taken for annualized Caltrans data for the most recently reported year (2005). Count locations and an index to study intersections are presented in Figure 1, while these counts are tabulated presented in Table 3.

As noted, the current daily traffic volume on most of these roads falls within the Level of Service “C” standard, indicating that current traffic conditions in the community are good. Of these count locations the highest volume was observed on SR 33, Merced Street and Hills Ferry Road. Each of these streets carries volumes in excess of 6,000 ADT. However, the observed volumes on these roads are indicative of LOS “A” conditions on a two-lane arterial or collector road. LOS A conditions are projected on all other study area streets.

**TABLE 3
CURRENT LEVELS OF SERVICE BASED ON DAILY TRAFFIC VOLUME**

#	Street	From	To	Class	Lanes	Daily Volume	LOS
1	West Stuhr Rd	Hale Rd	SR 33	Arterial	2	2,650	A
2	East Stuhr Rd	SR 33	Hills Ferry Rd	Arterial	2	900	A
3	Jensen Rd	Fig Lane	SR 33	Arterial	2	350	A
4	Banff Dr	Balsam Dr	Bunting Lane	Local	2	450	A
5	Orestimba Rd	Draper Rd	Hardin Rd	Arterial	2	600	A
6	Fig Lane	Lucille Ave	Yolo St	Collector	2	750	A
7	Yolo St	Real Ave	Lee Ave	Arterial	2	3,900	A
8	Main St	Mariposa St	Kern St	Local	2	1,100	A
9	Balsam Dr	Foxglove Ave	Waxwing Lane	Collector	2	2,050	A
10	Eucalyptus Ave	Goldenrod Lane	Waxwing Lane	Collector	2	1,300	A
11	Branington Ave	Bobolink Ave	Sumac Lane	Collector	2	1,150	A
12	Kern St	SR 33	M St	Collector	2	5,500	A
13	T St	Kern St	Tulare St	Collector	2	2,050	A
14	Draper Rd	Orestimba Rd	Hoyer Rd	Arterial	2	1,200	A
15	Fresno St	Fig Lane	Real Ave	Local	2	1,200	A
16	Hoyer Rd	Harvey Rd	Silva Ave	Arterial	2	950	A
17	Inyo Ave	S St	R St	Collector	2	2,800	A
18	Merced St	Real Ave	Main St	Arterial	2	2,900	A
19	Merced St	SR 33	M St	Arterial	2	6,800	A
20	Hills Ferry Rd	Driskell Ave	East Stuhr Rd	Arterial	2	6,000	A
21	Stanislaus St	SR 33	M St	Local	2	150	A
22	Inyo Ave	SR 33	M St	Collector	2	1,650	A
23	L St	Stanislaus St	Inyo Ave	Local	2	350	A
24	Upper Rd	Patchett Dr	Corgiat Dr	Arterial	2	3,050	A
25	Prince St	Inyo Ave	Strawbridge Dr	Arterial	2	2,450	A
26	Canyon Creek Dr	S St	Prince St	Collector	2	1,350	A

**TABLE 3
CURRENT LEVELS OF SERVICE BASED ON DAILY TRAFFIC VOLUME**

#	Street	From	To	Class	Lanes	Daily Volume	LOS
27	Canal School Rd	Inyo Ave	Brazo Rd	Arterial	2	2,950	A
28	Upper Rd	Canyon Creek Dr	Hollowell Rd	Arterial	2	1,300	A
29	Hallowell Rd	Draper Rd	Upper Rd	Collector	2	200	A
30	Eastin Rd	Stuhr Rd	Orestimba Rd	Not designated	2	650	A
31	Villa Manucha Rd	Lundy Rd	Stuhr Rd	Not designated	2	1,700	A
32	Orestimba Rd	West of Eastin Rd		Not designated	2	550	A
33	Shiells Rd	West of Eastin Rd		Not designated	2	300	A
	SR 33	North of Stuhr Rd		Arterial	2	4,700 (2005)	A
	SR 33	Stuhr Rd	Sherman Pkwy	Arterial	2	7,100 (2005)	A
	SR 33	Sherman Pkwy	Kern St	Arterial	2	8,200 (2005)	A
	SR 33	Kern St	Merced St	Arterial	2	8,400 (2005)	A
	SR 33	Merced St	Stanislaus Co Line	Arterial	2	7,300 (2005)	A

Current Peak Hour Levels of Service

A.m. (7:00 to 9:00 a.m.) and p.m. (4:00 to 6:00 p.m.) peak hour Levels of Service were also determined for several major intersections in Newman. Traffic counts for these calculations were also collected from May 9th to 11th 2005. In each case the “overall” Level of Service for all motorists has been determined for signalized intersections and for intersections controlled by all-way stops. At intersections controlled by stop signs, the identified Level of Service is the movement experiencing the “worst case” Level of Service. This is typically experienced by motorists waiting to make left turns onto the major street.

As shown, the overall Level of Service at each location controlled by an all-way stop or signal is LOS C or better. This satisfies the City’s current minimum standard. At intersections controlled by side street stop signs, longest delays occur at the SR 33 / Inyo Avenue intersection. Motorists waiting to turn onto SR 33 experience delays that are indicative of LOS D conditions during the morning peak hour.

Figure 1 Study Intersections

**TABLE 4
EXISTING PEAK HOUR INTERSECTION LEVELS OF SERVICE**

#	Street	Cross Street	Control	Level of Service			
				A.M. Peak Hour		P.M. Peak Hour	
				Average Delay	LOS	Average Delay	LOS
1	SR 33	Jensen Rd	EB/WB Stop	15.9 sec	C	16.2 sec	C
2	Orestimba Rd / Yolo St	T St / Hardin Rd	All-Way Stop	12.1 sec	B	7.8 sec	A
3	Hills Ferry Road	Driskell Ave	EB Stop	11.6 sec	B	12.3 sec	B
4	SR 33	Yolo St	EB Stop	13.9 sec	B	14.1 sec	B
5	Fig Lane	Kern St	NB / SB Stop	10.8 sec	B	9.8 sec	A
6	SR 33	Kern St	Signal	22.2 sec	C	17.3 sec	B
7	Hoyer Rd / Inyo Ave	Merced St	All-Way Stop	11.4 sec	B	7.8 sec	A
8	Merced St	Q St	NB/SB Stop	11.0 sec	B	10.2 sec	B
9	SR 33	Merced St	Signal	18.6 sec	B	17.8 sec	B
10	Inyo Ave	Prince St	NB/ SB Stop	10.6 sec	B	9.9 sec	A
11	SR 33	Inyo Ave	EB / WB Stop	25.3 sec	D	21.5 sec	C

Traffic Signal Warrants. The need for traffic signals is another consideration in evaluating the circulation system. The extent to which current traffic volumes satisfy Caltrans' peak hour warrants for installing traffic signals have also been considered. Of the unsignalized intersections included in this analysis, the SR 33 / Inyo Avenue intersection is the closest to meeting traffic signal warrants. Observed traffic volumes satisfy Caltrans warrant for peak hour volume but not the peak hour warrant predicated on total delay at the intersection. Additional analysis of other warrants would be needed to determine if a traffic signal is in fact justified today.

Public Transit

The Newman area is served by Stanislaus County Transit's **Westside Runabouts**. Runabouts are a transit service that combines designated fixed stops (like a fixed route) and curb-to-curb service (like a dial-a-ride). Passengers can catch the service at the designated fixed stops without having to phone ahead and book a ride. However, those passengers can only be dropped off at other designated fixed stops. For those passengers that want curb-to-curb service, it is necessary to call ahead and book a ride.

The Westside Runabouts are available to the general public. Subscription rides are allowed on a limited basis. For curb-to-curb service, one Personal Care Attendant (PCA) may ride free when accompanying a paying passenger with a disability who needs assistance riding the bus. They must board and de-board at the same stop as the paying passenger. All Runabout buses have space for four wheelchairs.

The Westside Runabouts run along SR 33 to link Newman with the communities of Crows Landing and Patterson. The line then continues easterly to Turlock.

Newman is also served by Stanislaus County Transit's Dial-A-Ride Service. This service operates door-to-door from 7:00 a.m. to 6:00 p.m. Monday thru Saturday.

Bicycle Facilities

The General Plan denotes the planned bicycle system to serve the community of Newman. The GP bicycle plan identifies both Class I (separated path) and Class II (bicycle lanes) facilities. Class I paths are planned along Jensen Road and Sherman Parkway from the CCIG Canal to McClintock Road, along the CCIG canal, along Hoyer Road between Harvey Road and Upper Road, along Prince Street between Inyo Avenue and Shiells Road, along the railroad corridor east of SR 33 and along Canal School Road south of Hills Ferry Road. On street bicycle lanes (Class II) are planned along new collector / arterial streets and along major streets through Newman, including Kern Street, Driskell Avenue, Inyo Avenue, Fig Lane, T Street.

IMPACTS OF IMPLEMENTING THE GENERAL PLAN

Methodology

To evaluate the impacts of implementing the General Plan it was necessary to identify and quantify the land use expected to develop over the life of the General Plan, identify the amount of vehicular traffic accompanying that development, assign traffic to the planned circulation system and determine resulting Levels of Service.

Land Use. The amount of residential and non-residential land use that could be developed under the new General Plan has been identified and compared to the quantities available under the current General Plan. This comparison is made in Table 5.

This land use data has been used to make estimates of daily vehicular trip generation resulting from development under the plans. As shown, the current plan could generate 84,458 daily automobile trips. Because the new plan contains a greater number of dwelling units and more non-residential development, the daily trip generation total is higher, (i.e., 112,622 daily trips)

**TABLE 5
PROJECTED TRIP GENERATION**

Land Use	Existing General Plan Buildout			Proposed General Plan Buildout		
	Total Units	Trips Per Unit	Total Trips	Total Units	Trips per unit	Total Trips
Residential – Dwellings						
Low Density Residential	1,089	8.40	9,148	944	8.40	7,930
Central Residential	62	6.84	424	49	6.84	335
Medium Density Residential	235	6.84	1,607	235	6.84	1,607
High Density Residential	256	5.40	1,598	287	5.40	1,550
Neighborhood Planned Residential	1,298	6.84	8,878			
Planned Mixed Residential	6,102	7.80	47,596	10,350	7.80	80,730
Total Residential		-	69,251		-	92,152
Non-Residential – 1,000 sf						
General / Community Commercial	459	6.08	2,791	390	6.08	2,371
Light Industrial	2,185	3.08	6,730	4,193	3.08	12,914
Service Industrial / Commercial	241	1.88	453	108	1.88	203
Heavy Industrial	2224	1.28	2,847	843	1.28	1,079
Business Park	775	3.08	2,387	1,267	3.08	3,902
Total Non-Residential		-	15,207			20,470
Total			84,458			112,622

Travel Demand Forecasting Models

The volume of traffic anticipated on the Newman Circulation system is an important issue in updating the General Plan. Because the current General Plan reflected a year 2010 horizon, it will be important to determine whether conditions occurring under the new General Plan's year 2030 horizon are markedly different from those projected for 2010.

Traffic engineers make use of computer based travel demand forecasting models to account for the interaction between land use and forecast the volume of traffic on the regional street system. The Newman area is included in both the Stanislaus County (StanCOG) and Merced County Association of Governments (MCAG) regional travel demand forecasting models. These models assume land use that is generally consistent with adopted General Plans but neither reflects full buildout of any community. However, because of the city's location near the "fringe" of each county, neither model is a reliable projector of conditions in Newman near Newman. In addition, neither model is refined to the extent that reasonable forecasts can be made for the arterial / collector street system in Newman. An alternative traffic model was developed as part of the City of Newman's 2000 Traffic Impact Fee study, and this tool has been employed for this General Plan Update.

Traffic Volume Forecasts. Table 6 summarizes daily traffic volume forecasts under the current and proposed General Plan and identifies the Level of Service occurring on arterial and collector roads, assuming that the General Plan's Circulation Diagram is implemented.

Vehicle Miles of Travel. The traffic model employed to forecast daily traffic on study area roads also summarizes vehicle miles of travel (VMT). Build Out of the current General Plan yields 370,260 daily VMT. The proposed General Plan yields 454,460 VMT.

Traffic Impacts Based on Roadway Segment Levels of Service

The following key impacts are noted.

Impact 1. Buildout of the Newman General Plan will increase the traffic volume on State Route 33, and Levels of Service in excess of the City's LOS C standard are projected.

Discussion: The volume of traffic forecast for SR 33 is in the range of 30,000 to 40,000 vehicles per day through Newman. While the Circulation Element indicates that the state highway will be widened to four lanes, the forecast volumes would theoretically require a 6 lane roadway to deliver LOS C. This issue was originally raised in the current General Plan, the decision to limit SR 33 to a four lane was made, and a finding of overriding considerations accompanied the prior GPRU EIR. This decision as reaffirmed in the City's traffic Impact fee program, which again noted that a 6 lane road would be needed. The City did not elect to fund a 6 lane widening.

Locally, measures the help minimize this impact are available, but the impact cannot be fully mitigated. The development of auxiliary turn lanes at major intersections would help improve

operating conditions at key locations. The development of multiple crossings on the UPRR and the development of routes that parallel SR 33 will help reduce this impact. However, because forecast conditions are likely to remain in excess of LOS C, this impact is again considered to be significant and unavoidable.

Impact 2. Build out of the General Plan will result in LOS D, E or F conditions on various City streets which would operate at LOS C under the current General Plan.

Discussion: The following roadway segments are projected to operate at Level of Service in excess of LOS C:

- Canal School Road** from Hills Ferry Road to Brazos Road (2 lanes LOS F)
- Sherman Parkway** between Balsam Drive and Eucalyptus Avenue (2 lanes LOS D)
- Driskell Drive** between Balsom Drive and Eucalyptus Avenue (2 lanes LOS D)
- Merced Street** from Hardin Road to Q Street (2 lanes LOS D)
- Merced Street** from Q Street to Main Street (4 lanes LOS E)
- Hills Ferry Road** from Driskell Drive to Sherman Parkway (4 lanes LOS D)
- Inyo Avenue** (2 lanes SR 33 to L Street)
- Shiells Road** from Upper Road to Prince Road (2 lanes LOS D)

As part of the development of the Circulation Diagram for the draft General Plan Update, various combinations of new roadways and roadway widening were evaluated in an attempt to deliver LOS C or better conditions on all City streets. However, the roadway segments identified above remained at conditions in excess of LOS C. In most cases the location of existing development makes further roadway widening impractical without significant right of way acquisition and major disruption to the community.

Measures to minimize the effect of projected traffic conditions should be pursued by the City. Development of auxiliary lanes at major intersections, minimization of access and installation of traffic signals to help move traffic will be beneficial. However, because the overall Level of Service will exceed City standard, this impact is considered significant and unavoidable.

Impact 3. Buildout of the Newman General Plan will add traffic to the inter-regional roadway system, including streets in Merced and Stanislaus County outside of the City's Sphere of Influence.

Discussion. Development in Newman will add traffic to the roadways linking the community with Interstate 5 to the west, to SR 33 north and south of the community, to Hills Ferry Road and to various Merced and Stanislaus County roads that abut the community. The addition of Newman traffic will contribute to the need to maintain these roads, and will exacerbate current design deficiencies on what are typically rural roads.

From a Level of Service standpoint, condition in excess of the City's LOS C standard are projected at the following locations:

Canal School Road from Inyo Street to Brazo Road (2 lane LOS F)
West Stuhr Road from Draper Road to Interstate 5 (2 lane LOS E)

While the inter-regional street system is not the sole responsibility of the City of Newman, the City should investigate mechanisms for City development to participate on a “fair share” basis in the costs of maintaining and improving roads outside of the City limits. Stanislaus County and east-side communities such as Oakdale, Riverbank, Hughson and Waterford are currently working towards a mechanism to address impacts to roads in that end of the County. However, while a similar mechanism should be pursued by the City of Newman, Merced County and Stanislaus County, and Caltrans, because no mechanism currently exists, this impact is considered significant and unavoidable.

**TABLE 6
BUILDOUT TRAFFIC VOLUMES AND
LEVELS OF SERVICE**

Street	From	To	Current General Plan			Draft General Plan Update			
			Lanes	Volume	LOS	Lanes	Volume	V/C	LOS
<i>State Highway</i>									
SR 33		Stuhr Road	2	15,000	C	2	16,050	0.80	C-D
	Stuhr Road	Jensen Road	4	43,000	F	4	35,850	0.90	E
	Jensen Road	Yolo Street	4	35,750	E	4	40,550	1.01	F
	Yolo Street	Kern Street	4	32,600	E	4	34,150	0.98	E
	Kern Street	Merced Street	4	35,200	E	4	35,850	1.04	F
	Merced Street	Inyo Avenue	4	34,400	E	4	35,550	1.03	F
	Inyo Avenue	City limits	4	31,200	C	4	35,450	0.89	D-E
	City Limits	Shiells Road	2	13,750	B	2	14,100	0.71	C
	Shiells Road	Hallowell Road	2	17,200	D	2	16,600	0.83	D
Hallowell Road		2	22,250	F	2	23,800	1.19	F	
<i>North-South Streets</i>									
Draper Road	Stuhr Road	Orestimba Road	2	4,800	B	2	6,250	0.33	B
	Orestimba Road	Hoyer Road	2	4,600	B	2	6,050	0.32	B
	Hoyer Road	Shiells Road	2	2,600	B	2	3,300	0.18	B
	Shiells Road	Hallowell Road	2	2,000	B	2	2,400	0.13	B
West Parkway	Stuhr Road	Jensen Road	2	7,450	B	2	7,150	0.38	B
	Jensen Road	Orestimba Road	2	10,250	B	2	11,150	0.59	B
	Orestimba Road	Hoyer Road	2	9,800	B	2	11,450	0.60	B
	Hoyer Road	Shiells Road	2	8,100	B	2	10,650	0.56	B
	Shiells Road	Hallowell Road	2	5,400	B	2	8,000	0.42	B
Collector	Orestimba Road	Hoyer Road	2	2,650	B	2	2,050	0.14	B
	Hoyer Road	Canyon Creek Drive	2	1,000	B	2	1,000	0.07	B
Upper Road	Hoyer Road	Canyon Creek Drive	2	11,800	B	2	13,650	0.72	C
	Canyon Creek Drive	Shiells Road	2	5,800	B	2	9,400	0.50	B
	Shiells Road	Hallowell Road	2	5,850	B	2	8,350	0.44	B

**TABLE 6
BUILDOUT TRAFFIC VOLUMES AND
LEVELS OF SERVICE**

Street	From	To	Current General Plan			Draft General Plan Update			
			Lanes	Volume	LOS	Lanes	Volume	V/C	LOS
Hardin Road	Jensen Road	Yolo Street	2	4,350	B	2	4,300	0.31	B
	Yolo Street	Kern Street	2	4,300	B	2	5,000	0.33	B
	Kern Street	Merced Street	2	7,500	B	2	9,750	0.65	B
Fig Lane	Stuhr Road	Jensen Road	2	1,000	B	2	1,000	0.07	B
	Jensen Road	Yolo Street	2	7,600	B	2	10,750	0.72	C
Q Street	Yolo Street	Kern Street	2	9,900	B	2	10,600	0.71	C
	Kern Street	Merced Street	2	6,600	B	2	8,000	0.56	B
	Merced Street	Inyo Avenue	2	5,200	B	2	5,650	0.38	B
Prince Street	Inyo Avenue	Canyon Creek Drive	4	18,400	B	4	20,500	0.54	B
	Canyon Creek Drive	Shiells Road	2	6,050	B	2	9,800	0.52	B
	Shiells Road	Hallowell Road	2	1,000	B	2	1,000	0.07	B
Main Street	Kern Street	Merced Street	2	8,750	B	2	11,500	0.77	C
M Street	Kern Street	Inyo Avenue	2	3,750	B	2	4,000	0.40	B
Collector	Stuhr Road	Sherman Parkway	-	-	-	2	10,550	0.71	C
Balsom Drive	Stuhr Road	Sherman Parkway	2	2,850	B	2	4,500	0.30	B
	Sherman Parkway	Banff Drive	2	3,300	B	2	4,900	0.33	B
	Banff Drive	Driskell Avenue	2	4,000	B	2	4,700	0.37	B
Eucalyptus Avenue	Stuhr Road	Sherman Parkway	2	4,050	B	2	2,900	0.19	B
	Sherman Parkway	Driskell Avenue	2	4,500	B	2	3,550	0.24	B
Barington Avenue	Stuhr Road	Sherman Parkway	2	2,700	B	2	3,000	0.20	B
	Sherman Parkway	Driskell Avenue	2	5,550	B	2	5,750	0.38	B
Canal School Road	Hills Ferry Road	Brazo Road	2	13,300	C	2	16,050	1.07	F
McClintock Road	Stuhr Road	Collector	2	1,630	B	2	2,400	0.16	B
	Collector	Sherman Parkway	2	6,800	B	2	11,250	0.75	C
County Line Collector	Sherman Parkway	Merced Street	-	-	-	2	8,350	0.56	B
	Merced Street	Inyo Avenue	-	-	-	-	7,950	0.53	B

**TABLE 6
BUILDOUT TRAFFIC VOLUMES AND
LEVELS OF SERVICE**

Street	From	To	Current General Plan			Draft General Plan Update			
			Lanes	Volume	LOS	Lanes	Volume	V/C	LOS
<i>East-West Streets</i>									
Stuhr Road		Draper Road	2	14,500	C	2	17,700	0.93	E
	Draper Road	Western Parkway	2	9,650	B	2	11,450	0.60	B
	Western Parkway	Fig Lane	2	8,900	B	2	10,300	0.55	B
	Fig Lane	SR 33	2	8,450	B	2	9,900	0.52	B
	SR 33	Balsom Drive	2	5,900	B	2	8,550	0.45	B
	Balsom Drive	Eucalyptus Avenue	2	5,900	B	2	7,550	0.40	B
	Eucalyptus Avenue	McClintock Road	2	5,200	B	2	7,850	0.41	B
	McClintock Road	Hills Ferry Road	2	4,350	B	2	6,550	0.35	B
Collector	McClintock Road	Hills Ferry Road	2	4,550	B	2	10,300	0.69	B
Jensen Road		Western Parkway	2	2,900	B	2	2,200	0.12	B
	Western Parkway		2	10,250	B	2	9,200	0.48	B
		Hardin Road	4	17,100	B	4	18,450	0.49	B
	Hardin Road	Fig Lane	4	19,650	B	4	20,850	0.55	B
	Fig Lane	SR 33	4	14,250	B	4	15,700	0.42	B
Sherman Parkway	SR 33	Railroad	4	16,500	B	4	26,700	0.70	C
	Railroad	Collector	4	16,500	B	4	26,700	0.70	C
	Collector	Balsam Drive	4	16,500	B	4	21,200	0.56	B
	Balsam Drive	Eucalyptus Ave	2	12,500	B	2	15,500	0.82	D
	Eucalyptus Ave	Barington Avenue	2	10,600	B	2	14,100	0.74	C
	Barington Ave	McClintock Road	2	7,150	B	2	12,150	0.64	B
	McClintock Road	Hills Ferry Road	2	5,550	B	2	8,100	0.42	B
	Hills Ferry Road					2	4,750	0.32	B
Orestimba Road	Draper Road	Western Parkway	2	5,100	B	2	4,250	0.22	B
	Western Parkway	Collector	2	4,850	B	2	5,350	0.28	B
	Collector	Hardin Road	2	6,050	B	2	6,500	0.35	B

**TABLE 6
BUILDOUT TRAFFIC VOLUMES AND
LEVELS OF SERVICE**

Street	From	To	Current General Plan			Draft General Plan Update			
			Lanes	Volume	LOS	Lanes	Volume	V/C	LOS
Yolo Street	Hardin Road	Q Street	2	5,200	B	2	6,150	0.41	B
	Q Street	SR 33	2	6,650	B	2	8,500	0.57	B
Kern Street	Hardin Road	Q Street	2	5,800	B	2	7,450	0.50	B
	Q Street	Main Street	2	10,250	B	2	10,850	0.72	C
	Main Street	SR 33	4	12,850	B	4	15,550	0.52	B
	SR 33	Railroad	4	15,050	B	4	17,100	0.58	B
	Railroad	M Street	4	15,050	B	4	17,100	0.58	B
Driskell Ave	M Street	Balsam Drive	4	14,900	B	4	17,300	0.58	B
	Balsam Drive	Eucalyptus Ave	2	10,650	C	2	12,100	0.81	D
	Eucalyptus Avenue	Barington Avenue	2	6,650	B	2	9,150	0.61	B
	Barington Avenue	Hills Ferry Road	2	6,750	B	2	7,850	0.53	B
Hoyer Road	Draper Road	Western Parkway	2	10,900	B	2	14,600	0.77	C
	Western Parkway	Collector	4	15,550	B	4	17,250	0.46	B
	Collector	Upper Road	4	18,550	B	4	20,750	0.55	B
Merced Street	Inyo Avenue	Hardin Road	4	21,950	B	4	28,150	0.75	C
	Hardin Road	Q Street	2	12,650	B	2	15,100	0.80	C-D
	Q Street	Main Street	4	25,675	C	4	30,950	0.95	E
	Main Street	SR 33	4	23,600	B	4	26,200	0.69	B
	SR 33	Railroad	4	20,800	B	4	23,700	0.62	B
	Railroad	M Street	4	20,800	B	4	23,700	0.62	B
	M Street	Brookhaven Drive	4	20,150	B	4	23,250	0.61	B
Hills Ferry Road	Brookhaven Drive	Canal School Road	4	16,250	B	4	20,450	0.54	B
	Driskell Avenue	Sherman Parkway	4	26,100	B	4	32,350	0.85	D
	Sherman Parkway	Collector	4	20,400	B	4	29,250	0.77	C
	Collector	Stuhr Road	2	10,900	B	2	11,600	0.61	B
	Stuhr Road		2	14,100	C	2	15,850	0.84	D

**TABLE 6
BUILDOUT TRAFFIC VOLUMES AND
LEVELS OF SERVICE**

Street	From	To	Current General Plan			Draft General Plan Update			
			Lanes	Volume	LOS	Lanes	Volume	V/C	LOS
Inyo Avenue	Hardin Road	Q Street	2	7,000	B	2	7,550	0.50	B
	Q Street	Prince Street	2	10,050	B	2	11,250	0.75	C
	Prince Street	Main Street	4	13,700	B	4	14,650	0.50	B
	Main Street	SR 33	4	6,100	B	4	8,550	0.30	B
	SR 33	Railroad	2	11,100	C	2	14,800	0.99	E
	Railroad	L Street	2	11,100	C	2	14,800	0.99	E
	L Street	Canal School Road	2	4,350	B	2	8,500	0.57	B
Canyon Creek Dr		Upper Road	2	1,000	B	2	1,550	0.10	B
	Upper Road	Prince Street	2	3,900	B	2	5,000	0.33	B
Shiells Road	Draper Road	Western Parkway	2	1,000	B	2	1,000	0.07	B
	Western Parkway	Upper Road	2	8,450	B	2	13,850	0.73	C
	Upper Road	Prince Road	2	10,300	B	2	15,500	0.82	D
	Prince Road	SR 33	2	6,550	B	2	9,300	0.49	B
Brazo Road	SR 33	Railroad	2	6,900	B	2	10,600	0.56	B
	Railroad	Canal School Road	2	6,600	B	2	10,600	0.56	B
Hallowell Road	Draper Road	Western Parkway	2	1,150	B	2	1,800	0.09	B
	Western Parkway	Upper Road	2	1,100	B	2	1,550	0.08	B
	Upper Road	Prince Road	2	1,000	B	2	3,000	0.15	B
Sanchez Road	Prince Road	SR 33	2	1,000	B	2	3,550	0.19	B
	SR 33	School Canal Road	2	5,350	B	2	7,100	0.37	B

Impacts to Intersections

The quality of traffic flow at key intersections in Newman has also been evaluated on a peak hour basis.

Methodology. A two step process was employed to create future intersection turning movements. First, current daily traffic volumes were compared to future projections and the resulting growth rate was determined. These growth rates were then used to interpolate future intersection peak hour volumes using methods described in the Transportation Research Board's (TRB's) NCHRP Report 255, *Highway Traffic Data for Urbanized Area Project Planning and Design* (refer to Appendix).

Levels of Service. Peak Hour Levels of Service were calculated for study intersections under two scenarios. The first scenario assumes no improvements have been made to these intersections. The second scenario assumes that the study area intersections are improved in a manner that is consistent with the number of lanes designated in the Circulation Diagram. Where applicable auxiliary turn lanes have also been added. While modifications to these assumptions will likely occur in the future as more detail regarding long term traffic conditions becomes available, Table 7 notes General Plan build out geometry assumed for this analysis. Table 8 presents resulting Levels of Service during the a.m. and p.m. peak hours.

The following impacts are noted.

Impact 4: Build out of the Newman General Plan could result in peak hour Levels of Service in excess of LOS C at intersections on SR 33.

Discussion. Given the traffic volume forecast for SR 33, it is likely that some intersections on SR 33 where the development of auxiliary lanes is constrained by the presence of the railroad or existing development will operate at Levels of Service in excess of LOS C. Additional analysis at a more detailed level is needed to fully address the design requirements of these intersections, and this level of analysis will accompany future encroachment permit applications for work within the State right of way. Assumed improvements, as well as subsequently identified improvements need to be incorporated into the City's traffic mitigation fee program, and the City needs to work with StanCOG and Caltrans to secure any available funding for improvements to the state highway system. However, while it is possible that future analysis may identify improvements that will yield LOS C, because those improvements are uncertain, impacts to intersections on SR 33 are considered a significant and unavoidable long term impact.

Impact 5: Buildout of the Newman General Plan could result in peak hour Levels of Service in excess of LOS C at intersection on City streets.

Discussion. Because much of the City of Newman circulation system lies within areas that are already developed, it is likely that there will be locations at intersections of City streets where peak hour conditions in excess of LOS C will occur. Additional analysis of design requirements,

including more detailed investigation of right of way availability will be needed. The City will need to update its traffic mitigation fee program to address the new General plan, and investigation of potentially impacted locations should be part of that work. However, while it is possible that subsequent analysis will identify improvements that could yield LOS C, because additional improvements are uncertain, conditions in excess of LOS C at intersections on City streets is considered a significant and unavoidable impact.

**TABLE 7
GPU BUILD OUT INTERSECTION GEOMETRY**

#	Street	Lanes	Auxiliary lanes	Street	Lanes	Auxiliary lanes	Control
1	SR 33	4	NB left and right turn lanes SB Dual left and right turn lanes	Jensen Road	4	EB left turn lane WB left and right turn lanes	Signal
2	Orestimba Road / Yolo Street	2	NB and SB left turn lanes	Hardin Rd	2	NB and SB left turn lane	Signal
3	Hills Ferry Road	4	NB left turn lane SB dual left and right turn lane	Driskel Ave / Canal School	2	EB left turn lane WB left and right turn lanes	Signal
4	SR 33	4	NB left turn lane	Yolo St	2	EB left turn lane	Signal
6	SR 33	4	NB left and right turn lanes SB left turn lane	Kern St	4	EB left turn lane WB left and right turn lane	Signal
7	Hoyer Road	4	WB left turn lane	Upper Rd	4	None	Signal
8	Merced Street	4	None	Q Street	2	None	Signal
9	SR 33	4	NB and SB left turn lanes	Merced St	4	EB and WB left turn lanes	Signal
10	Inyo Avenue	2	WB left turn lane	Prince St	4	None	Signal
11	SR 33	4	NB and SB left turn lanes	Inyo Street	2	WB left turn lane and EB left and right turn lanes	Signal

**TABLE 8
GPU BUILD OUT PEAK HOUR INTERSECTION LEVELS OF SERVICE**

#	Street	Cross Street	Control	Level of Service							
				A.M. Peak Hour				P.M. Peak Hour			
				Existing Geometry		Future Geometry		Existing Geometry		Future Geometry	
				Average Delay	LOS	Average Delay	LOS	Average Delay	LOS	Average Delay	LOS
1	SR 33	Jensen Road	EB/WB Stop	>999 sec	F			>999 sec	F		
			Signal			51.3 sec	D			30.8 sec	C
2	Orestimba Road / Yolo Street	T Street / Hardin Road	All-Way Stop	271.1 sec	F			15.0 sec	C		
			Signal			43.7 sec	D			28.0 sec	C
3	Hills Ferry Road	Driskell Avenue – Canal School	EB / WB Stop	>999 sec	-			>999 sec	F		
			Signal			27.8 sec	C			28.2 sec	C
4	SR 33	Yolo Street	EB Stop	195.9 sec	F			699.4 sec	F		
			Signal			9.7 sec	A			13.0 sec	B
6	SR 33	Kern Street	Signal	353.5 sec	F	48.9 sec	D	257.8 sec	F	40.1 sec	D
7	Hoyer Road / Inyo Avenue	Upper Road	All-Way Stop	>999 sec	F			359.9 sec	F		
			Signal			120.7 sec	F			20.7 sec	C
8	Merced Street	Q Street	NB/SB Stop	>999 sec	F			>999 sec	B		
			Signal			19.8 sec	B			28.5 sec	C
9	SR 33	Merced Street	Signal	182.8 sec	F	33.6 sec	C	265.3 sec	F	40.7 sec	D
10	Inyo Avenue	Prince Street	NB/ SB Stop	633.7 sec	F			>999 sec	F		
			Signal			24.4 sec	C			34.4 sec	C
11	SR 33	Inyo Avenue	EB / WB Stop	>999 sec	F			>999 sec	F		
			Signal			31.1 sec	C			31.9 sec	C

Traffic Signals

The evaluation of key intersections has noted several locations where traffic signals will be needed in order to deliver LOS C conditions. It is also possible to identify future signalized intersections based on the daily traffic volume warrant thresholds contained in the Manual of Uniform Traffic Control Devices (MUTCD). At a planning level, intersections with daily volumes on all legs totaling more than 24,000 ADT with at least 3,000 ADT on each leg can be assumed to eventually warrant signalization. Other locations may justify traffic signals based on spacing along major streets.

Table 9 lists the locations of traffic signals that are projected to be needed at General Plan Build Out. As shown the two existing traffic signals could be joined by 47 new signals over the life of the General Plan

**TABLE 9
SIGNALIZED INTERSECTIONS**

1	SR 33 / Kern St (existing)	27	Kern Street / Main Street
2	SR 33 / Merced St (existing)	28	Driskel Ave / Balsam Drive
3	Stuhr Road / Draper Road	29	Driskel Ave / Eucalyptus Ave
4	Stuhr Road / Western Parkway	30	Driskel Ave / Hills Ferry Road
5	Stuhr Road / Fig Street	31	Hills Ferry Rd / New Collector
6	SR 33 / Stuhr Road	32	Hoyer Toad / Western Parkway
7	Stuhr Road / Balsam Drive	33	Hoyer Road / Upper Road
8	Stuhr Road / Eucalyptus Ave	34	Merced Street / T Street / Inyo St
9	Stuhr Road / Barrington Ave	35	Merced Street / Q Street
10	Stuhr Road / McClintock Drive	36	Merced Street / Main Street
11	Stuhr Road / Hills Ferry Road	37	Merced Street / L Street
12	Jensen Road / Western Parkway	38	Inyo Street / Q Street
13	Jensen Road / Hardin Road	39	Inyo Street / Prince Street
14	Jensen Road / Fig Street	40	Inyo Street / Main Street
15	SR 33 / Jensen Road	41	SR 33 / Inyo Street
16	Sherman Parkway / Balsam Ave	42	Inyo Street / Canal School Road
17	Sherman Parkway / Eucalyptus Ave	43	Shiells Road / Western Parkway
18	Sherman Parkway / Barrington	44	Shiells Road / Upper Road
19	Sherman Parkway / McClintock Dr	45	Shiells Road / Prince Street
20	Sherman Parkway / Hills Ferry Rd	46	SR 33 / Brazo Road
21	Hills Ferry Road / New collector	47	Brazo Road / Canal School Road
22	Orestimba Road / Western Parkway	48	SR 33 / Sanches Road
23	Yolo Street / Hardin Rd	49	Sanches Road / Canal School Road
24	Yolo Street / Q Street		
25	SR 33 / Yolo Street		
26	Kern Street / Q Street		

Impact 6: Build Out of the Newman General Plan will result in intersections carrying traffic volume that meet traffic signal warrants.

Discussion. The City traffic impact fee program already collects fees towards the cost of signaling intersections in Newman. While the need to install signals will eventually be predicated on actual traffic volumes occurring on each street, and Caltrans will not permit unwarranted signals to be installed on SR 33, the fee program will need to be updated to reflect new locations that will need to be funded in the city, as well as “fair share” contribution to the cost of locations outside of the City limits.

Railroad Crossings

The Circulation Diagram indicates the location of existing railroad crossings that will need to be widened or upgrade to accommodate future demands, as well as the location of new crossings. Table 10 identifies these crossings and notes the number of through travel lanes crossing the tracks. Projected daily traffic volumes at each crossing are indicated. It is important to note that the railroad crossings shown in Newman’s General Plan Update are the same as those revealed in the preceding General Plan.

Because the railroad is only about 300 feet from SR 33 through downtown Newman and may be closer elsewhere, it is possible that future intersection improvements could extend back to and through the railroad crossing. The number of lanes on each crossing is presented assuming that each westbound auxiliary lane approaching SR 33 is extended easterly through the crossing.

**TABLE 10
RAILROAD CROSSINGS IN NEWMAN**

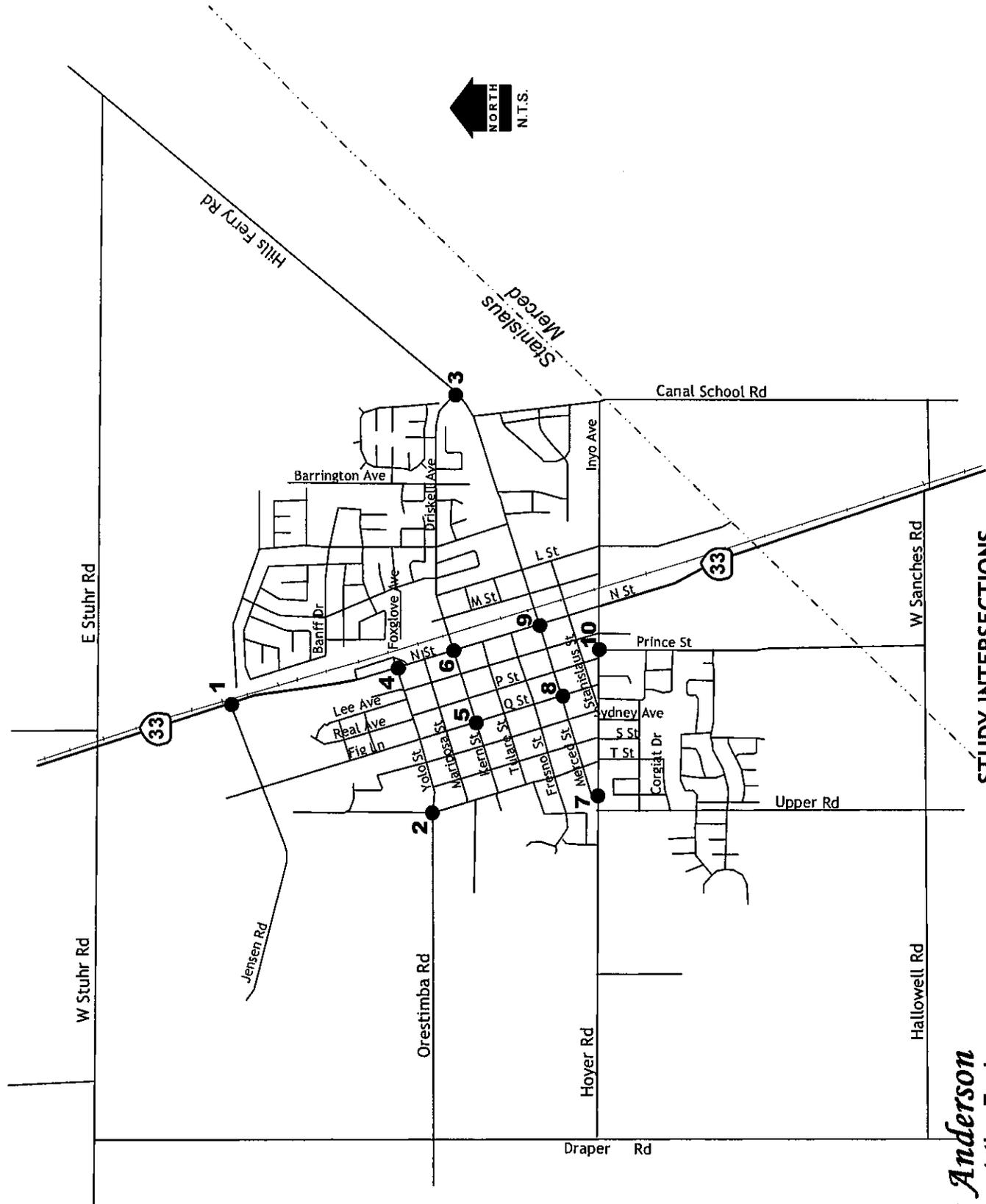
#	Cross Street	Through Lanes	Total Lanes	Future ADT	Action
1	East Stuhr Road	2	3	8,550	Upgrade – widen
2	Sherman Parkway	4	6	26,700	New Crossing
3	Kern Street	4	6	17,100	Upgrade - Widen
4	Merced Street	4	5	23,700	Upgrade -widen
5	Stanislaus Street	2	2	Not available	Maintain
6	Inyo Street	2	4	14,800	Upgrade – widen
7	Shiells Road – Brazo Road	2	3	10,600	New
8	Sanchez Road	2	3	7,100	Upgrade – widen

1. Auxiliary westbound left turn lane
2. Auxiliary westbound left and right turn lanes

Impact 7: Build Out of the Newman General Plan will increase the volume of traffic on existing railroad crossings and will result in new crossings carrying automobile, bicycle and pedestrian traffic.

The volume of traffic on railroad crossings is becoming an increasingly important issue to the Public Utilities Commission and the owner / operator of railroads throughout California. To ensure the safety of both the motoring public and rail users, state of the art crossings that are fully coordinated with adjoining traffic signals may be required. In other communities the PUC has been hesitant to widen existing at-grade crossings on well used railroads to provide more than two-lane capacity and has instead required the construction of grade separated crossings. In the case of the City of Newman, the development of four lane crossings has been identified in the current GPU and is perpetuated in the draft GPU. While the railroad today has relatively little activity (i.e., one or two trains per day), it is possible that the PUC and railroad could object to widening existing crossings. If this is the case, the Circulation Diagram would theoretically have to be modified to develop grade separations at locations that where demand in excess of two-lane facilities are expected. This would include the Sherman Parkway, Kern Street and Merced Street crossings. While a grade separation is conceivable at Sherman Street, the presence of exiting development at the other locations renders grade separations unfeasible.

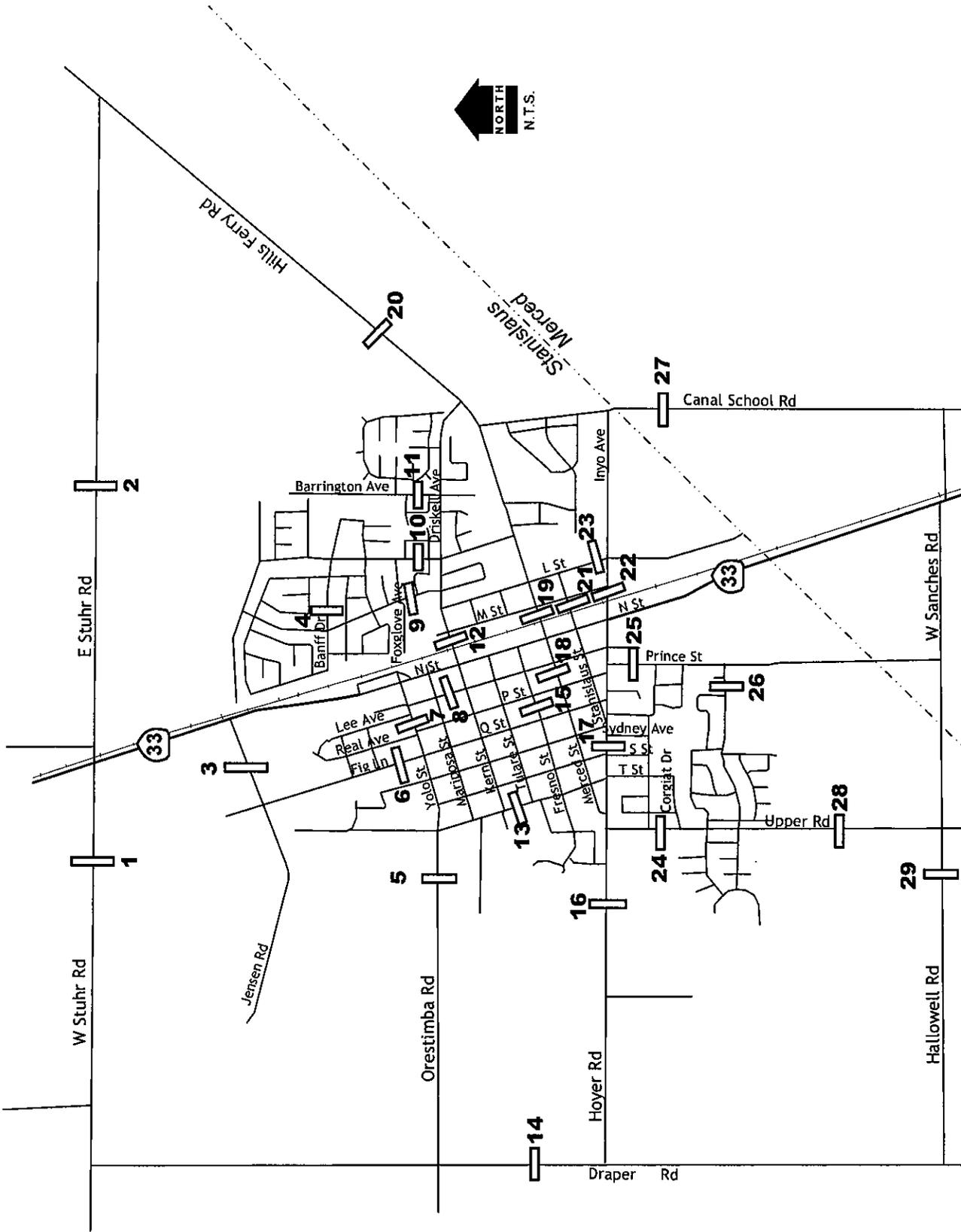
The City of Newman will need to update the traffic impact fee program to include the costs of improving railroad crossings.



STUDY INTERSECTIONS

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AVERAGE DAILY TRAFFIC INDEX

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