NOTICE OF PREPARATION OF A
DRAFT ENVIRONMENTAL IMPACT REPORT
FOR THE 1957 PRUNERIDGE AVENUE RESIDENTIAL PROJECT
MAY 2023

Introduction

The purpose of an Environmental Impact Report (EIR) is to inform decision-makers and the general public of the environmental effects of a proposed project that an agency may implement or approve. The EIR process is intended to provide information sufficient to evaluate a project and its potential for significant impacts on the environment, to examine methods of reducing adverse impacts, and to consider alternatives to the project.

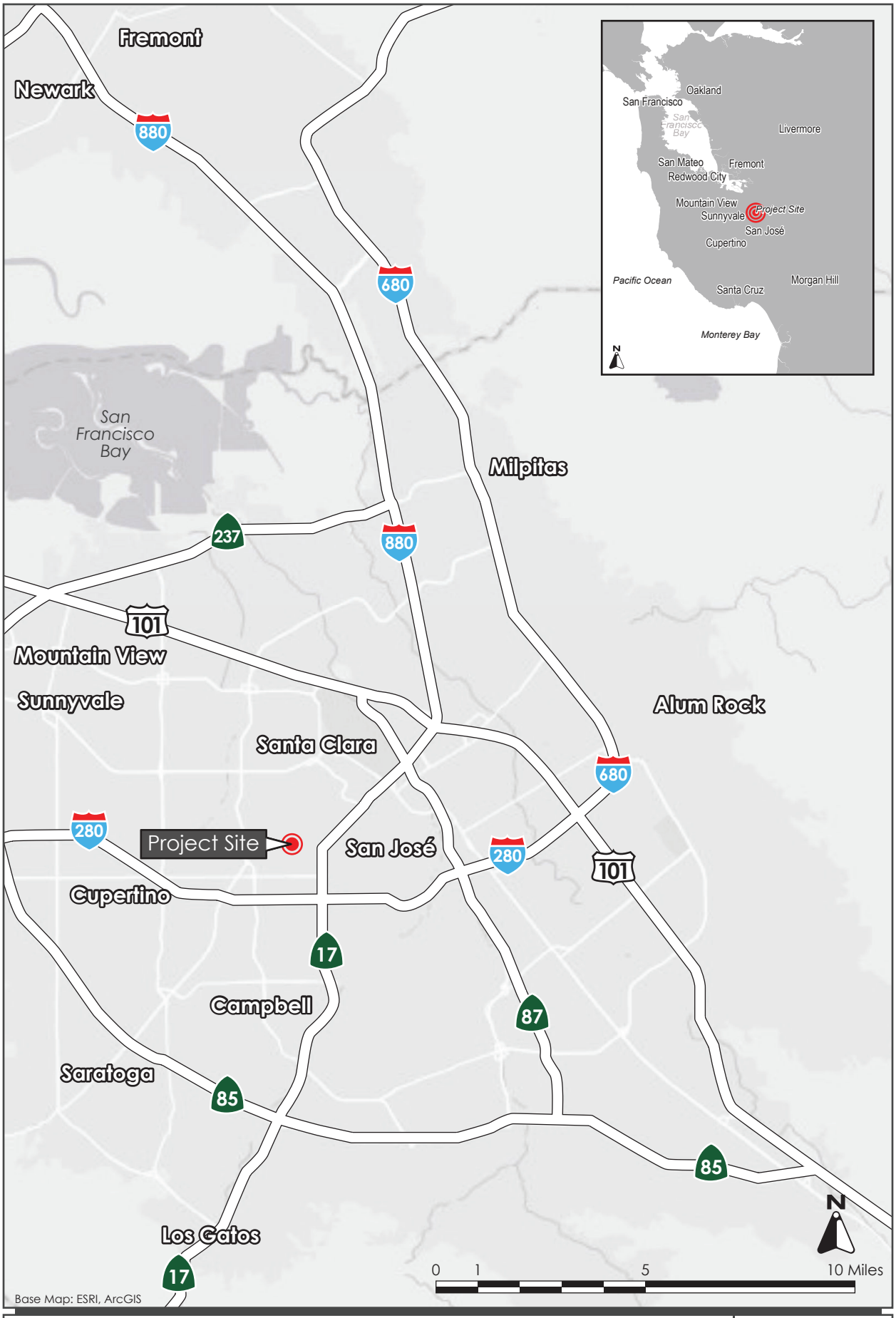
The EIR for the proposed project will be prepared and processed in accordance with the California Environmental Quality Act (CEQA) of 1970, as amended, and the requirements of the City of Santa Clara.

In accordance with Sections 15120 et seq. of the CEQA Guidelines, the EIR will include the following:

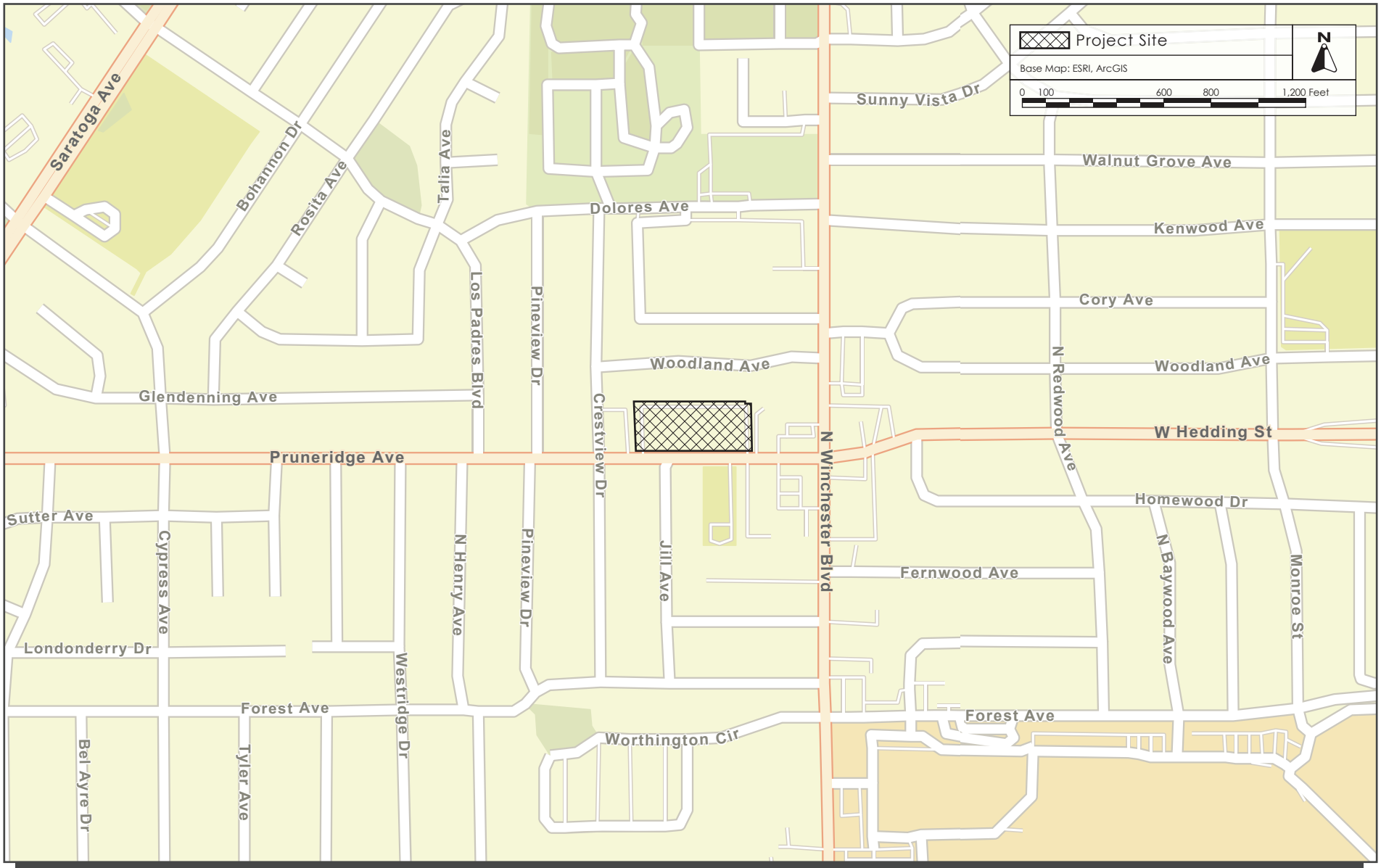
- A summary of the project;
- A project description;
- A description of the existing environmental setting, probable environmental impacts, and mitigation measures for the project;
- Alternatives to the project as proposed; and
- Environmental consequences, including (a) any significant environmental effects which cannot be avoided if the project is implemented; (b) any significant irreversible and irretrievable commitments of resources; (c) any growth-inducing impacts of the proposed project; and (d) cumulative impacts.

Project Location

The project site is located at 1957 Pruneridge Avenue in the City of Santa Clara (APN 303-03-025). The site has a General Plan Designation of Very Low Density Residential and is Zoned Public, Quasi Public, or Recreation (B). The existing 2.47-acre site is occupied by two buildings which made up the St. Marks Episcopal Church. The church building features stained glass windows around the entire structure, a gabled red tile roof, and stylized arches on each end of the building. The other structure is a one- to two-story office and school building. The one-story portion of the building is faced with wood sided and stucco with stained glass windows on the east side of the structure and a brown shingle roof and the two-story building is a stucco building with balcony walkways. The site is currently accessible from two driveways, one on the west end of the site and one on the east end, which exit onto Pruneridge Avenue. The site is not currently occupied.



REGIONAL MAP | FIGURE 1



VICINITY MAP

FIGURE 2



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES | FIGURE 3

Project Description

The proposed project would remove all structures, surface parking areas and landscaping from the project site and construct 22, two-story residential units at a density of 8.9 dwelling units per acre. Each unit would have a two or three car garage. Additionally, the project site would feature a landscaped paseo in the middle of the site that would provide pedestrian access to Pruneridge Avenue. Automobile access to the project site would be provided by the existing driveway on the east end of the project site which would be connected by a drive aisle that would separate the units on the north and south sides of the project site.

The proposed project would plant approximately 79 trees throughout the site and would feature drought tolerant, low water use landscaping in the common areas and yards of the residential units. The proposed project would include a rezoning of the project site from Public, Quasi Public, or Recreation (B) to Planned Development (PD) and a Tentative Tract Map.

The maximum depth of excavation for the proposed project would be approximately 7.5 feet below the ground surface.

The project proposes to replace the existing sidewalk with a separated sidewalk and landscaped park strip in kind and connect to existing utility connections.

Potential Environmental Impacts of the Project

The EIR will identify the significant environmental effects anticipated to result from development of the project as proposed. Mitigation measures will be identified for significant impacts, as warranted. The EIR will discuss the project's significant environmental impacts on the topic areas described below.

- **Aesthetics** – The proposed development would demolish the church buildings on-site and construct new residences. The EIR will describe the existing visual setting of the project area and the visual changes that are anticipated to occur as a result of the proposed project.

- **Air Quality** – The EIR will address the regional air quality conditions in the Bay Area and discuss the proposed project's construction and operational emissions impacts to local and regional air quality in accordance with the 2017 Bay Area Air Quality Management District (BAAQMD) CEQA guidelines and thresholds.

- **Biological Resources** – Habitats in the project area are low in species diversity and include predominately urban adapted birds and animals. The EIR will address the loss of trees on-site, within and adjacent to the construction zone. In addition, the EIR will identify and discuss potential biological impacts resulting from construction of the project.

- **Cultural Resources** – This area of Santa Clara is considered a sensitive area for cultural resources. The EIR will address the project's impacts to potentially historic structures. The EIR will also address the impacts to known and unknown buried archaeological resources on-site.

- **Energy** – Implementation of the proposed project would result in an increased demand for energy on-site. The EIR will address the increase in energy usage on-site and proposed design measures to reduce energy consumption.

- **Geology** – The project site is located in a liquefaction zone. The EIR will discuss the possible geological impacts associated with seismic activity and the existing soil conditions on the project site.

- **Greenhouse Gas Emissions** – The EIR will address the project's contribution to regional and global greenhouse gas (GHG) emissions. Proposed design measures to reduce energy consumption, which in turn would reduce GHG emissions, will be discussed.

- **Hazards and Hazardous Materials** – The project area is surrounded by commercial businesses and residences. The EIR will summarize known hazardous materials conditions on and adjacent to the project site and will address the potential for hazardous materials impacts to result from implementation of the proposed project.

- **Hydrology and Water Quality** – Based on the Federal Emergency Management Agency (FEMA) flood insurance rate maps the project site is in Flood Zone X (two percent annual risk of flood). The EIR will address the effectiveness of the storm drainage system and the project's effect on storm water quality consistent with the requirements of the Regional Water Quality Control Board (RWQCB).

- **Land Use** – The project site is located within a developed, urbanized area of Santa Clara surrounded by residential and commercial land uses. The EIR will describe the existing land uses adjacent to and within the project area. Land use impacts that would occur as a result of the proposed project will be analyzed, including the consistency of the project with the City's General Plan, zoning code, and compatibility of the proposed and existing land uses in the project area.

- **Noise and Vibration** – Noise levels in the project area are primarily influenced by vehicular noise on Pruneridge Avenue, and the surrounding roadways. The EIR will discuss noise that would result from operation of the proposed project, including a discussion of the increase in traffic noise that would result from implementation of the project, and the impact of any noise increase on nearby sensitive receptors. The EIR will also discuss temporary construction noise and vibration. Noise levels will be evaluated for consistency with applicable standards and guidelines in the City of Santa Clara.

- **Public Services** – Implementation of the proposed project would increase the population of the City. The EIR will address increase demand on and availability of public facilities and services.

- **Transportation** – The EIR will evaluate the project's transportation impacts pursuant to Senate Bill 743 and the City's Transportation Analysis Policy. The project's consistency with programs, plans, ordinances, or policies addressing the circulations system (including transit, roadway, bicycle, and pedestrian facilities) will be discussed in the EIR. The project's impact on Vehicle Miles Traveled (VMT) will be discussed.

- **Tribal Cultural Resources** – The EIR will discuss the project's potential for impacts to tribal cultural resources consistent with the requirements of Assembly Bill 52.

- **Utilities and Service Systems** – Implementation of the proposed project would likely result in an increased demand on utilities and public facilities compared to existing conditions. The EIR will examine the impacts of the project on public services, including utilities such as sanitary sewer and storm drains, water supply/demand, and solid waste management.

- **Wildfire** – The proposed project is located within a developed area of Santa Clara. The EIR will discuss project impacts on wildfire.

- **Cumulative Impacts** – In conformance with CEQA, this section will address the impacts of implementing the project in combination with other past, pending, and reasonably foreseeable future projects. Mitigation and avoidance measures will be identified for significant cumulative impacts, as appropriate.

- **Alternatives to the Project** – Alternatives to the proposed project will be evaluated, including a "No Project" alternative. Other alternatives analyzed will be selected based on their ability to avoid or lessen one or more significant impacts while still meeting most of the basic objectives of the proposed project.

In addition, the EIR will address the project's impacts on agricultural resources, population and housing, and mineral resources. The EIR will include other sections required by CEQA, including Growth Inducing Impacts, Significant Unavoidable Impacts, Authors and Consultants, References, and Technical Appendices.

RECEIVED
MAY 25 2023
PLANNING DIVISION

Hand Delivered

Planning Division
Received 5.25.23

Chris Sarbaugh
1329 Meadowlark Avenue
San Jose, CA 95128
May 24, 2023

City of Santa Clara, Planning Division
Debby Fernandez, Associate Planner
1500 Warburton Avenue
Santa Clara, CA 95050

RE: COMMENTS ON PROPOSED PREPARATION OF EIR FOR FILE NO. PLN 22-00505

The Notice of Preparation shows St. Mark's Episcopal Church as the owner of the subject property at 1957 Pruneridge Avenue, however County records show Santa Clara De Asis LLC as the property owner. Also, is Hunter Storm LLC the Applicant? The actual owner should submit a copy of a recent Title Report which includes any easements or restrictions on the property, and a copy of Deed of Record for the property.

In the first part of May 2023 the over grown weeds on the property were cleared. However, contractor also removed five (5) Ordinance-Size Trees. Who hired the contractor to remove these existing trees? What is the name of the contractor who performed this work? Does the contractor have a Business License to operate in the City of Santa Clara? How much was the contractor paid? Please obtain copy paid invoice. Was the City of Santa Clara aware of the activity? The EIR needs to include a complete accounting of all existing and removed trees.

Previous uses of the subject site included agricultural uses. This kind of activity has been shown to use various hazardous chemicals. Since residential uses are being proposed for the site, a Phase One Hazardous Assessment should be required.

The northerly portion of this project backs up to and interfaces with the single-family residences on Woodland Avenue. A seven (7) foot high solid board noise attenuating fence should be constructed along the entire of the rear property. This will provide privacy and reduce noise impacts to adjoining residents on Woodland Avenue. For security purposes pahtways should looped pathways with no dead-ends.

It should be noted that trees may provide some partial level of privacy, however regarding windows a direct structural mitigation measures should be required. Over time trees can die or just be removed and not replaced.

Privacy is of concern with this project. Steps that should be taken would include raising the window sill height (4to5 feet) where possible or installation architectural type of screening of the project. units.

This project is proposing nineteen (19) ADUs, while the total number of units for the project is twenty-two (22). This density of ADUs for such a small in-fill project is not appropriate and would set a bad precedent impacting this surrounding neighbor and opening the door for future projects to have this level of ADUs.

The existing St. Mark's Episcopal Church is over 60 years old and has cultural, historical and architectural importance not only the City of Santa Clara, but the surrounding communities. As part of the EIR process this project should be referred to the Historical Heritage Commission for review.

The City of Santa Clara should request directly from St. Mark's Episcopal Church written documentation that all the cremated ashes have been removed and that relatives have been properly noticed.

Thank you forth is opportunity to comment on the proposed project and EIR.

Sincerely.

Chris Sarbaugh

STATE OF CALIFORNIA Gavin Newsom, *Governor*

NATIVE AMERICAN HERITAGE COMMISSION

RECEIVED
OCT 18 2023
PLANNING DIVISION

October 11, 2023

Debby Fernandez
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050

Re: 2023100200, 1957 Pruneridge Avenue Residential Project, Santa Clara County

Dear Ms. Fernandez:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

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Reginald Pagaling
Chumash

VICE-CHAIRPERSON
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Yokayo Pomo, Yuki, Nomlaki

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AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

a. A brief description of the project.

b. The lead agency contact information.

c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).

d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

a. Alternatives to the project.

b. Recommended mitigation measures.

c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

a. Type of environmental review necessary.

b. Significance of the tribal cultural resources.

c. Significance of the project's impacts on tribal cultural resources.

d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

a. Whether the proposed project has a significant impact on an identified tribal cultural resource.

b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:

a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or

b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

a. Avoidance and preservation of the resources in place, including, but not limited to:

i. Planning and construction to avoid the resources and protect the cultural and natural context.

ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:

i. Protecting the cultural character and integrity of the resource.

ii. Protecting the traditional use of the resource.

iii. Protecting the confidentiality of the resource.

c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.

d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).

e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).

f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.

b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.
3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:
    a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
    b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
    a. If part or all of the APE has been previously surveyed for cultural resources.
    b. If any known cultural resources have already been recorded on or adjacent to the APE.
    c. If the probability is low, moderate, or high that cultural resources are located in the APE.
    d. If a survey is required to determine whether previously unrecorded cultural resources are present.

2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
    a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
    b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
   a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
   b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
   a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
   b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
   c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Cody.Campagne@nahc.ca.gov.

Sincerely,

Cody Campagne

Cody Campagne
Cultural Resources Analyst

cc: State Clearinghouse