



Draft Environmental Impact Report

SCH No. 2021050017

Spreckels Distribution Center

City of Manteca, California



Lead Agency:

City of Manteca

Development Services Department
1215 West Center Street, Suite 201
Manteca, CA 95337

June 2025

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**Spreckels Distribution Center
City of Manteca, California**

Lead Agency

City of Manteca
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Manteca, CA 95337

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Lead Agency Discretionary Approvals

Conditional Use Permit
Site Plan Review

June 2025



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TECHNICAL APPENDICES (BOUND SEPARATELY)

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- Appendix B1 Air Quality Impact Analysis
- Appendix B2 Health Risk Assessment
- Appendix C1 Biological Resources Report
- Appendix C2 Arboricultural Inventory and Report
- Appendix D Cultural Resources Study
- Appendix E Energy Analysis
- Appendix F1 Geotechnical Report
- Appendix F2 Geotechnical Report Update
- Appendix F3 Paleontological Assessment
- Appendix G Greenhouse Gas Analysis
- Appendix H1 Phase I Environmental Site Assessment
- Appendix H2 Soil Management Plan
- Appendix I Storm Water Management Plan
- Appendix J Noise Impact Analysis
- Appendix K Traffic Analysis



S.0 EXECUTIVE SUMMARY

S.1 INTRODUCTION

As stated by California Environmental Quality Act (CEQA) Guidelines §15002, the basic purpose of CEQA is to:

- Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities involving discretionary government actions (including the approval of development projects);
- Identify the ways that environmental damage can be avoided or significantly reduced;
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible; and
- Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

An Environmental Impact Report (EIR) is an informational document prepared in compliance with CEQA that informs government decision-makers and the public in general about potentially significant environmental impacts that could result from a project. This EIR represents the independent judgment of the City of Manteca (as the CEQA Lead Agency) and presents an objective evaluation of the physical environmental effects that could result from construction and operation of the proposed Spreckels Distribution Center (the “Project”).

Hereafter when the term “Project” is used in this EIR with the initial letter capitalized, the term shall mean all aspects of the Spreckels Distribution Center’s planning, construction, and operation; and all associated discretionary, and administrative approvals and permits required by law of public agencies. When the term “Project Applicant” is used with the initial letters capitalized, the term shall mean Prologis, L.P., which is the entity that submitted applications to the City of Manteca to entitle the Project site as proposed and as evaluated in this EIR

Governmental approvals requested from the City of Manteca by the Project Applicant to implement the Project include a Site Plan Review and Conditional Use Permit. All other related discretionary and administrative actions that are required of the City of Manteca and other public agencies and entities to construct and operate the Project described in this EIR also are considered part of the Project evaluated herein. Approvals and permits required of other agencies that are currently known to be needed in order to implement the Project are listed in Section 3.0, *Project Description*.



The City of Manteca has determined that an EIR is required for this Project. The City of Manteca determined that implementation of the Project has the potential to result in significant environmental effects, and a Project EIR, as defined by CEQA Guidelines §15161, is required. As stated in CEQA Guidelines §15161, a Project EIR should “...focus primarily on the changes in the environment that would result from the development project,” and “...examine all phases of the project including planning, construction, and operation.”

Accordingly, and in conformance with CEQA Guidelines §15121(a), the purpose of this EIR is to: (1) disclose information by informing public agency decision makers and the public generally of the significant environmental effects associated with all phases of the Project, (2) identify possible ways to minimize or avoid those significant effects, and (3) to describe a reasonable range of alternatives to the Project that would feasibly attain most of the basic Project objectives but would avoid or substantially lessen its significant environmental effects.

S.2 PROPOSED PROJECT

S.2.1 LOCATION AND SETTING

The approximately 14.83-acre site is located in the City of Manteca, San Joaquin County, California. The City of Manteca is located in the southern portion of San Joaquin County, approximately 10 miles south of Stockton and approximately 14 miles northwest of the City of Modesto. The City is accessed by Highway 99 from the north and south and State Route (SR) 120 from the east and west. The City is bordered by the City of Lathrop to the west and unincorporated San Joaquin County to the north, south, and east. Regional access to the Project site is provided via SR-120 to the south and Highway 99 to the east.

At the local scale, the Project site is located at 407 Spreckels Avenue (Assessor’s Parcel Number [APN]: 221-250-350), which is part of the existing Spreckels Business Park in the City of Manteca. The Project site is bounded by single-family residential units to the west, Spreckels Avenue to the east, and commercial and industrial land uses to the north and south. Under existing conditions, the Project site is currently vacant and covered in routinely disked ruderal grassland, but was previously developed as a portion of the Spreckels Sugar Factory. Six trees exist on the northwest corner of the Project site. An eight-foot solid sound wall extends along the western site boundary, and the Manteca Tidewater Bikeway extends along the eastern site boundary.

Refer to EIR Section 2.0, *Environmental Setting*, and Section 3.0, *Project Description*, for more information related to the regional and local setting of the Project site.

S.2.2 PROJECT OBJECTIVES

The fundamental purpose and goal of the Project is to accomplish the orderly development of an appropriately zoned and designated warehouse building in the City of Manteca while also contributing to increased employment opportunities within the area. The Project objectives have been refined throughout the planning and design process for the Project and are listed below:



- Create a professional, well-maintained and attractive environment for the development of a warehouse building consistent with the underlying zoning adjacent to nearby transportation infrastructure such as the State Route-99, State Route-120, and the Union Pacific Railroad.
- Provide the entitlements and framework for redevelopment of the site with a Class “A” warehouse and office building that is responsive to local and regional trade demands.
- Provide development that will enhance the City’s economic well-being and employment opportunities for community residents.
- Facilitate a project that provides goods to the regional economy.

S.2.3 PROJECT DESCRIPTION SUMMARY

The Project involves discretionary applications for a Conditional Use Permit and Site Plan Review. The proposed Site Plan specifies a development plan for the Project site that provides for the construction and operation of an industrial building with approximately 289,449 square feet (s.f.) of building floor area, including 279,449 s.f. of warehouse space and 10,000 s.f. of ancillary office use. The proposed building would include 46 loading docks southern side of the building and 83 total truck trailer parking spaces. The truck courts/loading areas would be enclosed and screened from public viewing areas by landscaping and minimum 8-foot-tall screening walls, with 8-foot-tall wrought iron fencing used at the access points to the truck courts/loading areas. Although the future tenants of the proposed building are unknown at this time, for purposes of analysis within this EIR it is assumed that the building could include high-cube cold storage uses and general warehouse uses. Future industrial uses may include general warehouse, high-cube warehouse, high-cube cold storage, manufacturing, research and development. The detailed components of the Project are described further in EIR Section 3.0, *Project Description*.

S.3 AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

CEQA Guidelines § 15123(b)(2) requires that areas of controversy known to the Lead Agency (City of Manteca), including issues raised by agencies and the public, be identified in the Executive Summary. Environmental topics raised in written comments to the Notice of Preparation (NOP) are summarized in Table 1-1, *Summary of NOP Comments*. In addition, a publicly noticed EIR Scoping Meeting was held on December 12, 2024. After consideration of all comments received in response to the NOP and during the Project’s scoping meeting, the Lead Agency has not identified any areas of controversy associated with the Project after considering all comments received in response to the NOP.

S.4 ALTERNATIVES TO THE PROPOSED PROJECT

In compliance with CEQA Guidelines § 15126.6, an EIR must describe a range of reasonable alternatives to the Project or to the location of the Project. Each alternative must be able to feasibly



attain most of the Project's objectives and avoid or substantially lessen the Project's significant effects on the environment. A detailed description of each alternative evaluated in this EIR, as well as an analysis of the potential environmental impacts associated with each alternative, is provided in EIR Section 6.0, *Alternatives*. Also described in Section 6.3 is a list of alternatives that were considered but rejected from further analysis. The alternatives considered by this EIR are listed below.

S.4.1 NO PROJECT/NO DEVELOPMENT ALTERNATIVE

The No Project/No Development Alternative assumes that no development or improvements would occur on the Project site and the entire 14.83-acre site would remain vacant. Under this alternative, no improvements would be made to the Project site and none of the Project's internal parking, utility, and other infrastructure improvements would occur. This alternative is required by CEQA Guidelines Section 15126.6(e)(3)(B) to compare the environmental effects of the Project with an alternative that would leave the Project site in its existing condition (as described in EIR Section 2.0).

S.4.2 REDUCED INTENSITY ALTERNATIVE

The Reduced Intensity Alternative would consider the development of the Project site with a 15 percent reduction in building square footage, in order to reduce vehicle and truck trips and significant impacts associated with GHG. Under this alternative, a total of 246,032 s.f. of industrial uses would be constructed, resulting in a reduction of 43,417 s.f. from the proposed building. Although the proposed building would be reduced, the development impact area would generally remain the same as the Project. Access to the site would be similar to the Project with a proportional reduction in the number of parking spaces.

S.4.3 NO PROJECT/EXISTING GENERAL PLAN AND ZONING ALTERNATIVE

The No Project/Existing General Plan and Zoning Alternative would consider the development of the Project site with a use that conforms to the existing zoning standards for the Project site, specifically the BIP (Business Industrial Park) zone for Manufacturing, small scale use. Under this alternative, a total of approximately 175,000 s.f. of manufacturing uses would be constructed.¹ Access to the site would be the same as the Project. Assuming all manufacturing uses for the proposed building, the No Project/Existing Zoning Alternative would generate approximately 862 daily trips resulting in an increase of 248 daily trips compared to the Project. The manufacturing use would generate 79 daily truck trips, a decrease of 138 truck trips compared to the Project. Trip generation under the ITE, Manufacturing (Code 140) would generate more trips compared to the trip generation used for the Project which included a blended rate using (157) High-Cube Cold Storage rate for the daily traffic, and the (150) General Warehouse rate for the peak hour traffic. This alternative was selected as required by CEQA Guidelines Section 15126.6(e)(3)(A) to compare the environmental effects of the

¹ Square footage reduced from Project to account for addition of parking spaces required (approximately 188 parking spaces) per City of Manteca Municipal Code 17.52.050: 1/500 sf; or 100 spaces plus 1/1,000 sf for area between 50,000 to 100,000 sf; or 150 spaces plus 1/2,000 sf for area over 100,000 sf



Project with an alternative that would allow the continuation of uses permitted by the City's General Plan and Zoning.

S.5 SUMMARY OF IMPACTS, MITIGATION, AND LEVELS OF IMPACT

Table S-1, *Summary of Impact, Mitigation, and Levels of Impact* provides a summary of the environmental impacts resulting from the Project. The potential direct, indirect impacts, and cumulative impacts for all environmental topical areas are addressed in Section 4.1 through 4.12 of this EIR. Growth inducing impacts and significant irreversible environmental changes are addressed in Section 5.0, *Other CEQA Considerations*.

S.6 MITIGATION MONITORING

State law requires the preparation of a mitigation monitoring and reporting program (MMRP) to ensure that measures that would avoid or lessen significant environmental effects of the project are adopted as conditions of approval for the project. The mitigation measures identified in this EIR have been described in sufficient detail to provide the necessary information to identify the party or parties responsible for carrying out the mitigation, when the mitigation will be implemented, and why the mitigation has been required. An MMRP would be adopted by the City at the time that the Project is considered for approval.



Table S-1 Summary of Impact, Mitigation, and Levels of Impact

| THRESHOLD | LEVEL OF SIGNIFICANCE BEFORE MITIGATION | MITIGATION MEASURES (MMS) | LEVEL OF SIGNIFICANCE AFTER MITIGATION |
|--|---|--|---|
| 4.1 Air Quality | | | |
| <u>Threshold a:</u> Would the Project conflict with or obstruct implementation of the applicable air quality plan? | Less-than-Significant Impact | No mitigation is required. | Less-than-Significant Impact |
| <u>Threshold b:</u> Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? | Less-than-Significant Impact | No mitigation is required. | Less-than-Significant Impact |
| <u>Threshold c:</u> Would the Project expose sensitive receptors to substantial pollutant concentrations? | Potentially Significant Impact | <p>MM 4.1-1 Prior to the issuance of a building permit, the building’s electrical room shall be sufficiently sized to hold additional panels that may be needed in the future to supply power to trailers with Transportation Refrigeration Units (TRUs) during the loading/unloading of refrigerated goods. Conduit should be installed from the electrical room to the loading docks determined by the Project Applicant during construction document plan check as the logical location(s) to receive trailers with TRUs.</p> <p>MM 4.1-2 Prior to the issuance of a building permit for a cold storage operator, the Project applicant shall provide evidence to the City that all TRU loading docks install electrical hookups to facilitate plug-in capabilities and support use of electric standby and/or hybrid electric TRUs, and all loading docks are designed to be compatible with SmartWay trucks. All site and architectural plans submitted to the City Planning Department shall note all the truck/dock bays designated for electrification.</p> <p>MM 4.1-3 Legible, durable, weather-proof signs shall be placed at truck access gates, loading docks, and truck parking areas that identify applicable California Air Resources Board (CARB) anti-idling regulations. At a minimum, each sign shall include: 1) instructions for truck drivers to shut off engines when not in use; 2) instructions for drivers of diesel trucks to restrict idling to no more than three (3) minutes once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged; and 3) telephone numbers of the building facilities manager and CARB to report violations. Prior to the issuance of an occupancy permit, the City shall conduct a site inspection to ensure that the signs are in place.</p> | Less-than-Significant Impact with Mitigation Incorporated |
| <u>Threshold d:</u> Would the Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? | Less-than-Significant Impact | No mitigation is required. | Less-than-Significant Impact |



| THRESHOLD | LEVEL OF SIGNIFICANCE BEFORE MITIGATION | MITIGATION MEASURES (MMS) | LEVEL OF SIGNIFICANCE AFTER MITIGATION |
|--|---|---|---|
| 4.2 Biological Resources | | | |
| <p><u>Threshold a:</u> Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p> | Less-than-Significant Impact | No mitigation is required. | Less-than-Significant Impact |
| <p><u>Threshold b:</u> Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?</p> | No Impact | No mitigation is required. | No Impact |
| <p><u>Threshold c:</u> Would the Project have substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</p> | No Impact | No mitigation is required. | No Impact |
| <p><u>Threshold d:</u> Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?</p> | Potentially Significant Impact | <p>MM 4.2-1 <u>Migratory / Nesting Bird Survey and Protection.</u> To maintain compliance with the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503, 3503.5, and 3513, site preparation activities (such as ground disturbance, construction activities, and/or removal of trees and vegetation) should be conducted, to the greatest extent possible, outside of the nesting season (February 1 through September 15). If avoidance of the nesting season is not feasible, then a qualified biologist shall conduct a pre-construction nesting bird survey within three days prior to any disturbance to the Project site. If active nests are identified, the biologist shall establish appropriate avoidance buffers around the nest (based on the species detected), and the buffer areas shall be avoided until the nests are no longer occupied (through routine nest monitoring by the qualified biologist) and the juvenile birds can survive independently from their nest(s). In addition, if portions of the Project site have not been disturbed within three days after the initial nesting bird survey, additional nesting bird surveys will be conducted (within the nesting bird season, February 1 to September 15) until all portions of the Project site have been disturbed appropriately (as determined by a qualified biologist) as to not provide potential nesting habitat.</p> | Less-than-Significant Impact with Mitigation Incorporated |



| THRESHOLD | LEVEL OF SIGNIFICANCE BEFORE MITIGATION | MITIGATION MEASURES (MMS) | LEVEL OF SIGNIFICANCE AFTER MITIGATION |
|--|---|---|---|
| Threshold e: Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | Less-than-Significant Impact | No mitigation is required. | Less-than-Significant Impact |
| Threshold f: Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | Less-than-Significant Impact | No mitigation is required. | Less-than-Significant Impact |
| 4.3 Cultural Resources | | | |
| Threshold a: Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5? | Potentially Significant Impact | <p>MM 4.3-1 Prior to issuance of a grading permit, the Project Applicant shall provide written verification in the form of a letter from the archaeologist to the City’s Development Services Director stating that a Qualified Archaeologist that meets the U.S. Secretary of Interior Standards has been retained to implement the monitoring program. The monitoring program shall require that:</p> <ul style="list-style-type: none"> a. The Archaeologist shall be present during all ground-disturbing activities to identify any known or suspected archaeological and/or cultural resources. b. Prior to any ground disturbing activities, the Archaeologist shall conduct Worker Environmental Awareness Training. The purpose of the training is to educate the construction crew and establish protocols for identifying and evaluating the significance of unanticipated finds. The Archaeologist shall provide cultural resource awareness training to all field crew and field supervisors. The training shall include a description of the types of resources that may be found in the Project area, the protocols to be used in the event of an unanticipated discovery, the importance of cultural resources to the Native American community, and the laws protecting significant archaeological and historical sites. c. If unknown precontact or historic-era cultural resources are encountered during Project activities, all ground-disturbing activities within 50 feet of the find shall cease until the Archaeologist can evaluate the significance of the resource, including potential eligibility for listing in the California Register of Historical Resources (CRHR), and recommend appropriate treatment measures. d. If any buried historic-era cultural resources are found to be eligible for listing in the CRHR, shall first consider avoidance and preservation in place. If avoidance is infeasible, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the Archeologist and approved by the City before being carried out using professional archaeological methods. All cultural material collected during the grading monitoring program shall be processed and curated according to the | Less-than-Significant Impact with Mitigation Incorporated |



| THRESHOLD | LEVEL OF SIGNIFICANCE BEFORE MITIGATION | MITIGATION MEASURES (MMS) | LEVEL OF SIGNIFICANCE AFTER MITIGATION |
|---|---|---|---|
| | | <p>current professional repository standards. The collections and associated records shall be transferred, including title, to an appropriate curation facility, to be accompanied by payment of the fees necessary for permanent curation.</p> <p>e. The City shall consult with interested Native American representatives in determining appropriate mitigation for unearthed cultural resources if the resources are precontact or important to Native American culture.</p> <p>f. If additional studies or data recovery mitigation is necessary, the qualified subject matter expert shall prepare a report documenting these studies and/or additional mitigation of the resource. A copy of the report shall be provided to City and the CCAIC. Construction can recommence based on the direction of the Archaeologist and/or other subject matter expert with the City's concurrence.</p> | |
| <p><u>Threshold b:</u> Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?</p> | Potentially Significant Impact | <p>Mitigation Measure MM 4.3-1 would apply.</p> | Less-than-Significant Impact with Mitigation Incorporated |
| <p><u>Threshold c:</u> Would the Project disturb any human remains, including those interred outside of formal cemeteries?</p> | Less-than-Significant Impact | No mitigation is required. | Less-than-Significant Impact |
| <p>4.4 Energy</p> | | | |
| <p><u>Threshold a:</u> Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?</p> | Less-than-Significant Impact | No mitigation is required. | Less-than-Significant Impact |
| <p><u>Threshold b:</u> Would the Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?</p> | Less-than-Significant Impact | No mitigation is required. | Less-than-Significant Impact |
| <p>4.5 Geology and Soils</p> | | | |
| <p><u>Threshold a:</u> Would the Project directly or indirectly cause 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 Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42; strong seismic ground shaking; seismic-related ground failure, including liquefaction; landslides?</p> | Less-than-Significant | No mitigation is required. | Less-than-Significant Impact |



| THRESHOLD | LEVEL OF SIGNIFICANCE BEFORE MITIGATION | MITIGATION MEASURES (MMS) | LEVEL OF SIGNIFICANCE AFTER MITIGATION |
|--|---|--|---|
| Threshold b: Would the Project result in substantial soil erosion or the loss of topsoil? | Less-than-Significant Impact | No mitigation is required. | Less-than-Significant Impact |
| Threshold c: Would the Project 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? | Less-than-Significant Impact | No mitigation is required. | Less-than-Significant Impact |
| Threshold d: Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? | Less-than-Significant Impact | No mitigation is required. | Less-than-Significant Impact |
| Threshold e: Would the Project 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? | No Impact | No mitigation is required. | No Impact |
| Threshold f: Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | Potentially Significant Impact | <p>MM 4.5-1 Prior to issuance of grading permits, the Project Applicant shall demonstrate that a paleo monitor has been retained to conduct full time monitoring of grading/excavation activities in undisturbed sediments. If paleontological resources are discovered during earth disturbance activities, the discovery shall be cordoned off with a 50-foot radius buffer so as to protect the discovery from further potential damage, and an San Joaquin County Certified Professional Paleontologist shall be consulted to assess the discovery. The Project Applicant shall submit a monitoring and recovery plan for this Project to the City for review, in the event that paleontological resources are uncovered during grading activities. The monitoring and recovery plan shall include the following requirements.</p> <ul style="list-style-type: none"> a. Monitoring of mass grading and excavation activities shall be performed by a qualified paleontologist. Monitoring will be conducted full-time in areas of grading or excavation in undisturbed sediments. b. Paleontological monitors will be equipped to salvage fossils as they are unearthed to avoid construction delays. The monitor must be empowered to temporarily halt or divert equipment to allow removal of fossils in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. The monitor shall notify the project paleontologist, who will then notify the concerned parties of the discovery. | Less-than-Significant Impact with Mitigation Incorporated |



| THRESHOLD | LEVEL OF SIGNIFICANCE BEFORE MITIGATION | MITIGATION MEASURES (MMS) | LEVEL OF SIGNIFICANCE AFTER MITIGATION |
|--|---|---|---|
| | | <ul style="list-style-type: none"> c. Paleontological salvage during trenching and boring activities is typically from the generated spoils and does not delay the trenching or drilling activities. Fossils will be collected and placed in cardboard flats or plastic buckets and identified by field number, collector, and date collected. Notes will be taken on the map location and stratigraphy of the site, which is photographed before it is vacated and the fossils are removed to a safe place. If the site involves remains from a large terrestrial vertebrate, such as large bone(s) or a mammoth tusk, that is/are too large to be easily removed by a single monitor, a fossil recovery crew shall excavate around the find, encase the find within a plaster and burlap jacket, and remove it after the plaster is set. For large fossils, use of the contractor's construction equipment may be solicited to help remove the jacket to a safe location. d. Recovered specimens will be prepared to a point of identification and permanent preservation, including screen-washing sediments to recover small invertebrates and vertebrates. e. Recovered specimens shall be identified and curated into a professional, accredited public museum / repository with a commitment to archival conservation and permanent retrievable storage (e.g., University of California Museum of Paleontology). The paleontological curation program should include a written repository agreement prior to the initiation of monitoring activities. Prior to curation, the lead agency (e.g., the City of Manteca Planning Division) will be consulted on the repository/museum to receive the fossil material. f. A final report of findings and significance will be prepared, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location(s). The report, when submitted to, and accepted by, the appropriate lead agency, will signify satisfactory completion of the project program to reduce impacts to any potential nonrenewable paleontological resources (i.e., fossils) that might have been lost or otherwise adversely affected without such a program in place. | |
| 4.6 Greenhouse Gas Emissions | | | |
| <p>Threshold a: Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</p> | <p>Potentially Significant Impact</p> | <p>Mitigation Measures MM 4.1-1 through MM 4.1-3 identified in Section 4.1, <i>Air Quality</i>, would apply.</p> <p>MM 4.6-1 Prior to issuance of occupancy permits, all on-site outdoor cargo handling equipment (including yard trucks, hostlers, yard goats, pallet jacks, forklifts, and other on-site equipment) shall be required to be powered by electricity, compressed natural gas, or gasoline and all indoor cargo handling equipment shall be required to be powered by electricity.</p> | <p>Significant and Unavoidable Impact</p> |



| THRESHOLD | LEVEL OF SIGNIFICANCE BEFORE MITIGATION | MITIGATION MEASURES (MMS) | LEVEL OF SIGNIFICANCE AFTER MITIGATION |
|---|---|--|--|
| | | <p>MM 4.6-2 All landscape equipment (e.g. leaf blower) used for property management shall be electric powered only. The property manager/facility owner shall provide documentation (e.g., purchase, rental, and/or services agreement) to the Development Services Department to verify, to the City’s satisfaction, that all landscaping equipment utilized will be electric powered.</p> | |
| <p><u>Threshold b:</u> Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</p> | <p>Less-than-Significant Impact</p> | <p>No mitigation is required.</p> | <p>Less-than-Significant Impact</p> |
| <p>4.7 Hazards and Hazardous Materials</p> | | | |
| <p><u>Threshold a:</u> Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</p> | <p>Potentially Significant Impact</p> | <p>MM 4.7-1 Prior to the issuance of grading permits, the Project Applicant shall prepare an Addendum to the Soil Management Plan (SMP) to address grading and excavation activities specific to the Project. The SMP Addendum shall be submitted for approval by the Central Valley Regional Water Quality Control Board (RWQCB). The Project Contractor shall adhere to the protocols and performance standards stipulated in the SMP (Technical Appendix H2 of this EIR). Contractors working at the site shall have the current HAZWOPER health and safety training and follow all applicable Cal/OSHA regulations for construction safety. A Completion Report shall be prepared at the conclusion of grading activities. The report shall document field monitoring activities and visual observations made during grading/excavations, as well as soil sampling locations and results. The report shall include a description of the location of impacted soil encountered, actions taken to characterize and mitigate impacts, confirmation soil sampling results, and disposition of any excavated soil. In addition, the report shall include a description of encountered subsurface structures and steps to remove and close such structures. The report shall be reviewed and approved by the City of Manteca Director of Development Services, prior to issuance of building permits.</p> | <p>Less-than-Significant Impact with Mitigation Incorporated</p> |
| <p><u>Threshold b:</u> Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</p> | <p>Potentially Significant Impact</p> | <p>Mitigation Measure MM 4.7-1 would apply.</p> | <p>Less-than-Significant Impact with Mitigation Incorporated</p> |
| <p><u>Threshold c:</u> Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</p> | <p>Potentially Significant Impact</p> | <p>Mitigation Measure MM 4.7-1 would apply.</p> | <p>Less-than-Significant Impact with Mitigation Incorporated</p> |



| THRESHOLD | LEVEL OF SIGNIFICANCE BEFORE MITIGATION | MITIGATION MEASURES (MMS) | LEVEL OF SIGNIFICANCE AFTER MITIGATION |
|---|---|---|---|
| Threshold d: Would the Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | Potentially Significant Impact | Mitigation Measure MM 4.7-1 would apply. | Less-than-Significant Impact with Mitigation Incorporated |
| Threshold e: For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the project area? | No Impact | No mitigation is required. | No Impact |
| Threshold f: Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | Less-than-Significant Impact | No mitigation is required. | Less-than-Significant Impact |
| Threshold g: Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires? | No Impact | No mitigation is required. | No Impact |
| 4.8 Hydrology and Water Quality | | | |
| Threshold a: Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? | Less-than-Significant Impact | No mitigation is required. | Less-than-Significant Impact |
| Threshold b: Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? | Less-than-Significant Impact | No mitigation is required. | Less-than-Significant Impact |
| Threshold c: Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or | Less-than-Significant Impact | No mitigation is required. | Less-than-Significant Impact |



| THRESHOLD | LEVEL OF SIGNIFICANCE BEFORE MITIGATION | MITIGATION MEASURES (MMS) | LEVEL OF SIGNIFICANCE AFTER MITIGATION |
|---|---|---|---|
| provide substantial additional sources of polluted runoff; or impede or redirect flood flows? | | | |
| <u>Threshold d:</u> Would the Project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | No Impact | No mitigation is required. | No Impact |
| <u>Threshold e:</u> Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | No Impact | No mitigation is required. | No Impact |
| 4.9 Land Use Planning | | | |
| <u>Threshold a:</u> Would the Project physically divide an established community? | Less-than-Significant Impact | No mitigation is required. | Less-than-Significant Impact |
| <u>Threshold b:</u> Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | Less-than-Significant Impact | No mitigation is required. | Less-than-Significant Impact |
| 4.10 Noise | | | |
| <u>Threshold a:</u> Would the Project generate substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | Potentially Significant Impact | <p>MM 4.10-1 Prior to the issuance of a grading permit, the Project Applicant shall install a minimum 12-foot-high temporary noise barrier along the northern, western and southwestern Project site boundary, as shown in Figure 4.10-4, Temporary Construction Noise Barrier. The noise control barriers must have a solid face from top to bottom. The noise control barriers must meet the minimum height and be constructed as follows:</p> <ol style="list-style-type: none"> a. The temporary noise barriers shall provide a minimum transmission loss of 20 dBA (Federal Highway Administration, Noise Barrier Design Handbook). The noise barrier shall be constructed using an acoustical blanket (e.g. vinyl acoustic curtains or quilted blankets) attached to the construction site perimeter fence or equivalent temporary fence posts. b. The noise barrier must be maintained, and any damage promptly repaired. Gaps, holes, or weaknesses in the barrier or openings between the barrier and the ground shall be promptly repaired. c. The noise control barrier and associated elements shall be completely removed, and the site appropriately restored upon the conclusion of the construction activity. <p>MM 4.10-2 Prior to the issuance of grading permits, the Project Applicant shall submit a construction management plan demonstrating that best management practices are implemented for construction activities, including but not limited to:</p> | Less-than-Significant Impact with Mitigation Incorporated |



| THRESHOLD | LEVEL OF SIGNIFICANCE BEFORE MITIGATION | MITIGATION MEASURES (MMS) | LEVEL OF SIGNIFICANCE AFTER MITIGATION |
|---|---|--|--|
| | | <ul style="list-style-type: none"> a. Construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. b. All stationary construction equipment shall be placed in such a manner so that emitted noise is directed away from any sensitive receivers. c. Construction equipment staging areas shall be located at the greatest feasible distance between the staging area and the nearest sensitive receivers. d. The construction contractor shall limit equipment and material deliveries to the same hours specified for construction equipment for MM-2. e. Electrically powered air compressors and similar power tools shall be used, when feasible, in place of diesel equipment. f. No music or electronically reinforced speech from construction workers shall be allowed. <p>MM 4.10-3 Prior to the issuance of building permits, the Project Applicant shall install a minimum 14-foot-high noise barrier for the loading dock areas along the southwestern corner of the Project site boundary, as shown on Figure 4.10-5, <i>Proposed Noise Barrier</i>. The 12-foot-high noise barrier may be an addition to the existing 8-foot-high wall or replacement.</p> | |
| Threshold b: Would the Project generate excessive groundborne vibration or groundborne noise levels? | Less-than-Significant Impact | No mitigation is required. | Less-than-Significant Impact |
| Threshold c: For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels? | No Impact | No mitigation is required. | No Impact |
| 4.11 Transportation | | | |
| Threshold a: Would the Project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? | Less-than-Significant Impact | No mitigation is required. | Less-than-Significant Impact |
| Threshold b: Would the Project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? | Less-than-Significant Impact | No mitigation is required. | Less-than-Significant Impact |



| THRESHOLD | LEVEL OF SIGNIFICANCE BEFORE MITIGATION | MITIGATION MEASURES (MMS) | LEVEL OF SIGNIFICANCE AFTER MITIGATION |
|--|---|--|---|
| Threshold c: Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | Less-than-Significant Impact | No mitigation is required. | Less-than-Significant Impact |
| Threshold d: Would the Project result in inadequate emergency access? | Less-than-Significant Impact | No mitigation is required. | Less-than-Significant Impact |
| 4.12 Tribal Cultural Resources | | | |
| Threshold 1: Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe? | Potentially Significant Impact | MM 4.12-1 Prior to the issuance of grading permits, the Project Applicant shall provide written verification in the form of a letter from a tribal representative to the City’s Development Services Director stating that a tribal/archaeological monitor from the Muwekma Ohlone Tribe has been retained to implement the monitoring program. The tribal representative will assist in the identification of Native American resources and shall be on-site during all ground-disturbing activities. The tribal representative should be on-site any time the consulting archaeologist is required to be on-site. Working with the consulting archaeologist, the tribal representative shall have the authority to halt, redirect, or divert any activities in areas where the identification, recording, or recovery of Native American resources are on-going. If significant artifacts are identified, treatment of the artifact in coordination with the tribal representative which may include reburial, relocation, or curation. | Less-than-Significant Impact with Mitigation Incorporated |



1.0 INTRODUCTION

This Draft Environmental Impact Report (“Draft EIR” or “EIR”) is an informational document that represents the independent judgement of the City of Manteca, acting as the Lead Agency pursuant to the California Environmental Quality Act (“CEQA”), and evaluates the physical environmental effects that could result from construction and operation of the proposed Spreckels Distribution Center (hereinafter the “Project”). Discretionary and other related ministerial actions that are required to construct and operate the Project are also described in this EIR.

When the term “Project” is used in this EIR with the initial letter capitalized, the term shall mean all aspects of the planning, construction, and operation of the Spreckels Distribution Center, including all discretionary and administrative approvals and permits required for its implementation. When the term “Project Applicant” or “Applicant” are used with the initial letters capitalized, the terms shall mean Prologis, L.P., which is the entity that submitted applications for the Project as proposed and as evaluated in this EIR.

1.1 PURPOSES OF CEQA AND THIS DRAFT EIR

This Draft EIR has been prepared in compliance with CEQA, as amended, and the CEQA State Guidelines (Title 14 California Code of Regulations § 15000 et. seq.) (“CEQA Guidelines”), as amended. As stated by CEQA Guidelines Section 15002(a), the basic purposes of CEQA are to:

- Inform governmental decision makers and the public about the potential, significant environmental effects of proposed development activities involving discretionary government approvals (including the approval of private development projects);
- Identify the ways that environmental damage can be avoided or significantly reduced;
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible; and
- Disclose to the public the reasons why the governmental agency approved the project in the manner the agency chose (if the project involves significant environmental effects).

Following a preliminary review of the Project’s application materials, the City concluded that the Project and its associated implementation actions clearly have the *potential* to result in significant environmental effects; as such, the City proceeded with preparation of this EIR pursuant to CEQA Guidelines Section 15060(d). The City determined that a Project EIR, as described in CEQA Guidelines Section 15161, would be required.

Pursuant to CEQA Guidelines Section 15161, this Project EIR shall “... focus primarily on the changes in the environment that would result from the development project,” and “...examine all phases of the



project including planning, construction, and operation.” Also, pursuant to CEQA Guidelines Section 15121(a), the purposes of this EIR are to: (1) disclose information by informing public agency decision makers and the public generally of the significant environmental effects associated with all phases of the Project, (2) identify possible ways to minimize or avoid those significant effects, and (3) to describe a reasonable range of alternatives to the Project that would feasibly attain most of the basic Project objectives but would avoid or substantially lessen its significant environmental effects.

1.2 SUMMARY OF THE PROJECT EVALUATED BY THIS EIR

As more fully described in EIR Section 3.0, *Project Description*, the Project Applicant proposes to redevelop the 14.83-acre property (hereinafter the “Project site”) with an industrial building with approximately 289,449 square feet (s.f.) of building floor area, including 279,449 s.f. of warehouse space and 10,000 s.f. of ancillary office use. The Project site is located at 407 Spreckels Avenue (Assessor’s Parcel Number (APN) 221-250-350), which is part of the existing Spreckels Business Park in the City of Manteca. The Project’s design also includes the installation of associated site improvements, including drive aisles, landscaping, utility infrastructure, underground storm drain detention facilities, exterior lighting, walls/fencing, and signage as well as site adjacent improvements to Spreckels Avenue.

The Project Applicant has filed applications for the following discretionary actions, which are under consideration by the City of Manteca:

- Site Plan Review
- Conditional Use Permit

All components of the Project are described in detail in EIR Section 3.0, *Project Description*.

1.3 LEGAL AUTHORITY

This EIR has been prepared in accordance with all criteria, standards, and procedures of CEQA (California Public Resource Code Section 21000 *et seq.*) and the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000 *et seq.*).

Pursuant to Public Resources Code Section 21067 and CEQA Guidelines Article 4 and Section 15367, the City is the Lead Agency under whose authority this EIR has been prepared. “Lead Agency” refers to the public agency that has the principal responsibility for carrying out or approving a project. Serving as the Lead Agency and before taking action to approve the Project, the City has the obligation to: (1) ensure that this EIR has been completed in accordance with CEQA; (2) review and consider information contained in this EIR as part of its decision making process; (3) make a statement that this EIR reflects the City’s independent judgement; (4) ensure that all significant effects on the environment are eliminated or substantially lessened where feasible; and, if necessary (5) make written findings for each unavoidable significant environmental effect stating the reasons why mitigation measures or



project alternatives identified in this EIR are infeasible and citing the specific benefits of the Project that outweigh its unavoidable adverse effects (CEQA Guidelines Section 15090 through 15093).

Pursuant to CEQA Guidelines Sections 15040 through 15043, and upon completion of the CEQA review process, the City will have the legal authority to do any of the following:

- Approve the Project;
- Require feasible changes in any or all activities involved in the Project in order to substantially lessen or avoid significant effects on the environment;
- Deny approval of the Project in order to avoid one or more significant effects on the environment that would occur if the Project was approved as proposed¹; or
- Approve the Project even though the Project could cause a significant effect on the environment if the City makes a fully informed and publicly disclosed decision that: 1) there is no feasible way to lessen the effect or avoid the significant effect; and 2) expected benefits from the Project will outweigh significant environmental impacts of the Project.

This EIR fulfills the CEQA environmental review requirements for the proposed Site Plan Review and Conditional Use Permit, and all other governmental discretionary and administrative actions related to the Project.

1.4 PROJECT BACKGROUND

A Mitigated Negative Declaration (MND) was originally prepared for the site. On May 3, 2021, the City circulated a Notice of Intent to Adopt Mitigated Negative Declaration for the Project. The MND was circulated for public review from May 3 to June 1, 2021. During the 30-day public review period, comments received requested a detailed project description, additional technical analysis (e.g., air quality and greenhouse gas emissions modeling), demonstration of consistency with the City’s General Plan, additional feasible mitigation measures, and consultation with responsible agencies. Therefore, in order to address the environmental concerns raised, additional analyses were prepared and this EIR was prepared to provide comprehensive environmental review of the Project.

¹ The State Constitution grants the City of Manteca broad discretionary powers to consider the City’s “general welfare” (i.e., preservation of the public peace, safety, morals, and/or health) when making decisions to approve or disapprove a project, in addition to the environmental considerations under Sections 15040 through 15043 of the CEQA Guidelines.



1.5 EIR SCOPE, FORMAT, AND CONTENT

1.5.1 EIR SCOPE

The City filed a Notice of Preparation (NOP) with the California Office of Planning and Research (State Clearinghouse) to indicate that an EIR would be prepared to evaluate the Project’s potential to impact the environment. The NOP was filed with the State Clearinghouse and distributed to Responsible Agencies, Trustee Agencies, and other interested parties on December 6, 2024, for a 30-day public review period. The NOP was distributed for public review to solicit responses that would help the City identify the full scope and range of potential environmental concerns associated with the Project so that these issues could be fully examined in this EIR.

In addition, a publicly noticed EIR Scoping Meeting was held on December 12, 2024. The EIR Scoping Meeting provided public agencies, interested parties, and members of the general public an additional opportunity to learn about the Project, the CEQA review process, and how to submit comments on the scope and range of environmental concerns to be addressed in this EIR. One representative from the Carpenters Local Union attended the scoping meeting presentation, but no comments were submitted.

The NOP, public review distribution list, and written comments received by the City during the NOP public review period are provided in *Technical Appendix A* to this EIR. Substantive issues raised in response to the NOP and during the Scoping Meeting are summarized below in Table 1-1, *Summary of NOP Comments*. The purpose of this table is to present a summary of the key environmental topics that were expressed by public agencies, interested parties, and members of the general public to be of primary interest. All comments received in response to the NOP and during the EIR Scoping Meeting are addressed in this EIR.

Table 1-1 Summary of NOP Comments

| Commenter | Date | Comment | Location In EIR Where Comment Is Addressed |
|---|-----------------|--|---|
| State and Local Agencies | | | |
| Central Valley Regional Water Quality Control Board (RWQCB) | January 7, 2025 | <ul style="list-style-type: none"> • Recommends the EIR analysis include a discussion on the Antidegradation Implementation Policy and evaluation of potential impacts to both surface and groundwater quality • Lists the permitting requirements for the Project including: Construction Storm Water General Permit, Industrial Storm Water General Permit, Clean Water Act Section 404 Permit, Clean Water Act Section 401 Permit – Water Quality Certification, Waste Discharge Requirements – Discharges to Waters of the State, Dewatering Permit, Limited Threat General National Pollutant | Section 4.8, <i>Hydrology and Water Quality</i> |



| Commenter | Date | Comment | Location In EIR Where Comment Is Addressed |
|--|-------------------|--|---|
| | | Discharge Elimination System (NPDES) Permit, and NPDES Permit. | |
| Muwekma Ohlone Tribe of the San Francisco Bay Area | December 19, 2024 | <ul style="list-style-type: none"> • Requests further discussion for tribal consultation services with the Project under Senate Bill (SB) 18 and Assembly Bill (AB) 52 • Requests update of new mailing address to 1169 S. Main St. Ste. 336 Manteca Ca. 95337 | Section 4.12, <i>Tribal Cultural Resources</i> |
| Native American Heritage Commission (NAHC) | December 13, 2024 | <ul style="list-style-type: none"> • Provides information regarding required Native American consultation pursuant to SB 18 and AB 52 | Section 4.3, <i>Cultural Resources</i> and Section 4.12, <i>Tribal Cultural Resources</i> |
| San Joaquin County Council of Governments (SJCOG) | December 11, 2024 | <ul style="list-style-type: none"> • Provides a brief summary of the Project • States that the Project is subject to the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) • Requests contacting SJMSCP staff to satisfy SJMSCP requirements | Section 4.2, <i>Biological Resources</i> |
| San Joaquin County Environmental Health Department (EHD) | December 27, 2024 | <ul style="list-style-type: none"> • Recommends conditions as part of Project development • Recommends abandoned wells be destroyed under permit and inspection pursuant to San Joaquin County Development Title Section 9-1115.5(e) • Recommends any geotechnical drilling be conducted under permit and inspection pursuant to San Joaquin County Development Title Section 601.010(b) and 9-601.020(i) • Recommends reporting the use or storage of hazardous materials to the California Environmental Reporting System (CERS) before hazardous materials/waste can be stored or used onsite and compliance with the hazardous laws and regulations for the programs listed (based on quantity of hazardous material in some cases). | Section 4.5, <i>Geology and Soils</i> ; Section 4.7, <i>Hazards and Hazardous Materials</i> ; and Section 5.0, <i>Other CEQA Considerations</i> |
| San Joaquin Valley Air Pollution Control District | December 12, 2024 | <ul style="list-style-type: none"> • Recommends detailed analysis for the Project’s construction and operational emissions • Recommends utilizing cleanest available off-road construction equipment to reduce | Section 4.1, <i>Air Quality</i> |



| Commenter | Date | Comment | Location In EIR Where Comment Is Addressed |
|-----------|------|--|--|
| | | <p>impacts from construction-related diesel exhaust emissions</p> <ul style="list-style-type: none"> • Recommends incorporation of design elements such as the use of cleaner Heavy-Duty (HHD) trucks and vehicles, measures that reduce Vehicle Miles Traveled (VMTs), and measures that increase energy efficiency • Recommends analysis to characterize and justify an appropriate trip length distance for off-site HHD truck travel to and from the Project site • Recommends analysis be performed using California Emission Estimator Model (CalEEMod) • Recommends preparation of a Health Risk Assessment (HRA) • Recommends an Ambient Air Quality Analysis (AAQA) be performed for the Project if emissions exceed 100 pounds per day of any pollutant • Recommends the EIR to include a discussion on the feasibility of implementing a Voluntary Emission Reduction Agreement (VERA) for this Project • Recommends the City to incorporate emission reduction strategies that can reduce potential harmful health impacts • Recommends the City evaluate HHD truck routing patterns for the Project, with the aim of limiting exposure of residential communities and sensitive receptors to emissions • Recommends reduction of idling of Heavy-Duty Trucks • Recommends that the EIR include requirements for Project proponents to utilize electric or zero emission off-road and on-road equipment • Suggests the City consider feasibility of incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residential units) | |



| Commenter | Date | Comment | Location In EIR Where Comment Is Addressed |
|---|-------------------|---|--|
| | | <ul style="list-style-type: none"> Suggests that the City consider incorporating solar power systems as an emission reduction strategy for the Project Recommends that the City require all nonresidential buildings be designed to provide electric infrastructure to support the use of on-road zero emissions vehicles, such as HHD trucks associated with a warehouse project | |
| State Department of Justice (DOJ)'s Bureau of Environmental Justice | December 12, 2024 | <ul style="list-style-type: none"> Provides a brief summary of environmental impacts that warehouses bring to the communities where they are located Encourages consideration of the information in the <i>Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act</i> provided as an attachment. | Section 4.1, <i>Air Quality</i> |
| Individuals | | | |
| Sainas Nisha | January 3, 2025 | <ul style="list-style-type: none"> Inquires about the NOP Expresses approval of the Project due to noise, pollution, and that the location is not suitable for residential uses | Section 1.0, <i>Introduction</i> |

Upon consideration of all comments received by the City in response to the NOP and during the EIR Scoping Meeting, this EIR provides a detailed analysis of the Project’s potential to cause adverse effects under the following topics:

- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Transportation
- Tribal Cultural Resources

The topics listed above are evaluated in EIR Section 4.0, *Environmental Analysis*.

During the course of conducting research of the Project’s potential environmental effects and preparing this EIR, the City concluded that the Project would clearly result in either (1) no impacts or (2) less-than-significant impacts under three environmental topic areas, including: Aesthetics; Agriculture and Forestry Resources; Mineral Resources; Population and Housing; Public Services; Recreation; Wildfire; and Utilities & Service Systems. Potential effects to these topic areas are summarized in EIR Section 5.0, *Other CEQA Considerations*.



1.5.2 EIR FORMAT AND CONTENT

This EIR contains all of the information required to be included in an EIR as specified by the CEQA Statue and Guidelines (California Public Resources Code Section 21000 *et seq.* and California Code of Regulations, Title 14, Chapter 5). Table 1-2, *Location of CEQA Required Topics* provides a quick reference guide for locating the CEQA-required sections within this EIR.

Table 1-2 Location of CEQA Required Topics

| CEQA Required Topic | CEQA Guidelines Reference | Location in this EIR |
|--|----------------------------------|------------------------------|
| Table of Contents | § 15122 | Table of Contents |
| Summary | § 15123 | Section S.0 |
| Project Description | § 15124 | Section 3.0 |
| Environmental Setting | § 15125 | Section 2.0 |
| Consideration and Discussion of Environmental Impacts | § 15126 | Section 4.0 |
| Significant Environmental Effects Which Cannot be Avoided if the Proposed Project is Implemented | § 15126.2(c) | Section 4.0 & Subsection 5.1 |
| Significant Irreversible Environmental Impacts Which Would be Involved in the Proposed Action Should it be Implemented | § 15126.2(d) | Subsection 5.2 |
| Growth-Inducing Impacts of the Proposed Project | § 15126.2(e) | Subsection 5.3 |
| Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects | § 15126.4 | Section 4.0 & Table S-1 |
| Consideration and Discussion of Alternatives to the Proposed Project | § 15126.6 | Section 6.0 |
| Effects Not Found to be Significant | § 15128 | Subsection 5.4 |
| Organizations and Persons Consulted and References | § 15129 | Section 7.0 & Appendices |
| Discussion of Cumulative Impacts | § 15130 | Section 4.0 |
| Energy Conservation | § 15126.2(b) & Appendix F | Subsection 4.4 |

In Summary, the content of this EIR is as follows:

- ❑ **Section S.0, *Executive Summary***, provides an overview of this EIR and CEQA process and provides a brief description of the Project, including its objectives, the location and regional setting of the Project site, and potential alternatives to the Project as required by CEQA. The Executive Summary provides a summary of the Project’s impacts, mitigation measures, and conclusions, in a table that forms the basis of the Project’s Mitigation Monitoring and Reporting Program (MMRP).
- ❑ **Section 1.0, *Introduction*** provides introductory information about the CEQA process and the responsibilities of the City in its role as Lead Agency, a brief description of the Project, the purpose of this EIR, and an overview of this EIR format.



- ❑ **Section 2.0, *Environmental Setting*** describes the environmental setting, including descriptions of the Project site’s physical conditions and surrounding context used as the baseline for analysis in this EIR.
- ❑ **Section 3.0, *Project Description*** includes a detailed Project Description that identifies the precise location and boundaries of the Project, a map showing the Project’s location in a regional perspective, a statement of the Project’s objectives, a general description of the Project’s technical, economic, and environmental characteristics, and a statement describing the intended uses of this EIR, including a list of agencies expected to use this EIR, and a list of approvals for which this EIR will be used. The Project Description contains a level of specificity commensurate with the level of detail proposed by the Project.
- ❑ **Section 4.0, *Environmental Analysis*** provides an analysis of potential direct, indirect, and cumulative impacts that may occur with implementation of the Project. A determination concerning the significance of each impact is addressed and mitigation measures are presented when warranted. The environmental changes identified in Section 4.0 and throughout this EIR are referred to as “effects” or “impacts” interchangeably. CEQA Guidelines Section 15358 describes the terms “effects” and “impacts” as being synonymous.

In each subsection of Section 4.0, the existing conditions pertaining to the subject area being analyzed are discussed accompanied by a specific analysis of physical impacts that may be caused by implementing the Project. Impacts are evaluated on a direct, indirect, and cumulative basis. Direct impacts are those that would occur directly as a result of the Project. Indirect impacts represent secondary effects that would result from Project implementation. Cumulative effects are defined in CEQA Guidelines Section 15355 as “...two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.”

The analysis in Section 4.0 is based in part upon technical reports that are included in this EIR. Information also is drawn from other sources of analytical materials that directly or indirectly relate to the Project and are cited in Section 7.0, *References*.

Where the analysis identifies a significant environmental effect, feasible mitigation measures have been incorporated into the Project. Pursuant to CEQA and the CEQA Guidelines, an EIR must propose and describe mitigation measures to minimize the significant environmental effects identified in this EIR. The requirement that EIRs identify mitigation measures realizes CEQA’s policy that Lead Agencies adopt feasible measures when approving a project to reduce or avoid its significant environmental effects. Per Public Resources Code Section 21081.6 and CEQA Guidelines Section 15126.4, mitigation measures must be enforceable through conditions of approval, contracts or other means that are legally binding. Pursuant to Public Resources Code Section 21081.6, incorporating mitigation measures into conditions of approval is sufficient to demonstrate that the measures are enforceable. This requirement is designed to ensure that



mitigation measures will actually be implemented, not merely adopted and then ignored. In light of the foregoing, the identified mitigation measures are analyzed to determine whether they would effectively reduce or avoid any significant environmental effects. In most cases, implementation of the mitigation measures would reduce an identified significant environmental effect to below a level of significance. If mitigation measures are not available or feasible to reduce an identified impact to below a level of significance, the environmental effect is identified as a significant and unavoidable adverse impact, for which a Statement of Overriding Considerations would need to be adopted by the Lead Agency pursuant to CEQA Guidelines Section 15093.

- ❑ **Section 5.0, *Other CEQA Considerations*** includes specific topics that are required by CEQA. These include a summary of the Project’s significant and unavoidable environmental effects, a discussion of the significant and irreversible environmental changes that would occur should the Project be implemented, as well as potential growth-inducing impacts of the Project. Section 5.0 also includes a discussion of the potential environmental effects that were found not to be significant during preparation of this EIR.

- ❑ **Section 6.0, *Project Alternatives*** describes and evaluates alternatives to the Project that could reduce or avoid the Project’s adverse environmental effects. CEQA does not require an EIR to consider every conceivable alternative to the Project but rather to consider a reasonable range of alternatives, including a “No Project” alternative, that will foster informed decision making and public participation.

- ❑ **Section 7.0, *References*** cites all reference sources used in preparing this EIR and lists the agencies and persons that were consulted in preparing this EIR. Section 7.0 also lists the persons who authored or participated in preparing this EIR.

1.5.3 INCORPORATION BY REFERENCE

CEQA Guidelines Section 15147 states that the “information contained in an EIR shall include summarized...information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public,” and that the “[p]lacement of highly technical and specialized analysis and data in the body of an EIR shall be avoided through the inclusion of supporting information and analyses as appendices to the main body of the EIR.” CEQA Guidelines Section 15150 allows for the incorporation “by reference all or portions of another document... [and is] most appropriate for including long, descriptive, or technical materials that provide general background but do not contribute directly to the analysis of a problem at hand.” The purpose of incorporation by reference is to assist the Lead Agency in limiting the length of this EIR. Where this EIR incorporates a document by reference, the document is identified in the body of this EIR, citing the appropriate section(s) of the incorporated document and describing the relationship between the incorporated part of the referenced document and this EIR. All references cited in this EIR are available at the website address provided in Section 7.0, *References*, and/or at the City of Manteca, Development Services Department – Planning Division, 1215 West Center Street, Suite 201, Manteca, California 95337. The following documents are incorporated by reference and cited in this EIR as appropriate:



- City of Manteca General Plan Update, February 2024. The City of Manteca General Plan governs all land use regulations, including zoning, and identifies the community’s vision for the future and provides a framework that will guide decisions on growth, development, and conservation of open space and resources in a manner that is consistent with the quality of life desired by the city's residents and businesses.
- City of Manteca General Plan Draft Environmental Impact Report, July 2023. The City of Manteca General Plan Draft Environmental Impact Report addressed environmental impacts associated with the implementation of the City’s General Plan. Due to comments received on the Draft EIR and General Plan in 2021, the EIR was subsequently recirculated in 2022 to address public comments.
- City of Manteca Addendum to the Environmental Impact Report for the Manteca General Plan Update, February 2024. The Addendum was prepared for the General Plan 2043 Update which revised the Land Use and Circulation Elements to incorporate a revised vision for a portion of the City’s northern area.
- City of Manteca Active Transportation Plan, August 2020. The Manteca Active Transportation Plan (ATP) is a comprehensive guide that creates a vision for a network of trails, bike lanes, sidewalks, and other elements aimed at supporting safe walking and bicycling throughout the City and providing connections to nearby destinations.
- City of Manteca Municipal Code (various chapters), September 2024. The purpose of the City’s Municipal Code is establish regulations and ordinances to protect and promote the public health, safety, peace, comfort, convenience, prosperity, and general welfare as well as to set forth and coordinate City regulations governing the development and use of land in accordance with the City of Manteca General Plan.

1.5.4 TECHNICAL REPORTS

This EIR relies on a number of Project-specific technical appendices that are bound separately as *Technical Appendices*. The *Technical Appendices* are available for review at the City of Manteca, Development Services Department – Planning Division, 1215 West Center Street, Suite 201, Manteca, California 95337, during the City’s regular business hours or can be requested in electronic form on the City’s website at <https://www.manteca.gov/departments/development-services/planning/planning-division-documents/-folder-206> or by contacting the City’s Development Services Department – Planning Division. The individual technical studies, reports, and supporting documentation that comprise the *Technical Appendices* are as follows:

- A: Notice of Preparation and Written Comments during the NOP
- B1: Air Quality Impact Analysis
- B2: Health Risk Assessment
- C1: Biological Resources Assessment
- C2: Arboricultural Inventory and Report



- D: Cultural Resources Study
- E: Energy Analysis
- F1: Geotechnical Report
- F2: Geotechnical Report Update
- F3: Paleontological Assessment
- G: Greenhouse Gas Analysis
- H1: Phase I Environmental Site Assessment
- H2: Soil Management Plan
- I: Storm Water Quality Management Plan
- J: Noise Impact Analysis
- K: Traffic Analysis

Other reference sources that are incorporated into this EIR by reference are listed in Section 7.0, *References*, of this EIR. In most cases, documents or websites not included in this EIR’s *Technical Appendices* are cited by a link to the online location where the document/website can be reviewed. References relied upon by this EIR will be available for public review upon request at the City of Manteca, Development Services Department – Planning Division, 1215 West Center Street, Suite 201, Manteca, California 95337.

1.6 RESPONSIBLE AND TRUSTEE AGENCIES

California Public Resource Code Section 21104 requires that all EIRs be reviewed by responsible and trustee agencies (see also CEQA Guidelines Section 15082 and Section 15086(a)). As defined by CEQA Guidelines Section 15381, “the term ‘Responsible Agency’ includes all public agencies other than the Lead Agency that have discretionary approval over the project.” A “Trustee Agency” is defined in CEQA Guidelines Section 15386 as a “State agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California.”

For the Project, the Central Valley RWQCB, San Joaquin County Flood Control and Water Conservation District (SJCFCWCD), San Joaquin Valley Air Pollution Control District (SJVAPCD), and the Pacific Gas and Electric (PG&E) are identified as Responsible Agencies. Regardless, this EIR can be used by any Trustee Agency or Responsible Agency, whether identified in this EIR or not, as part of their decision-making processes in relation to the Project.

1.7 AREAS OF CONTROVERSY

Environmental topics raised in written comments to the NOP are summarized in Table 1-1, *Summary of NOP Comments*. After consideration of all comments received in response to the NOP and during the Project’s scoping meeting, the Lead Agency has not identified any areas of controversy associated with the Project after considering all comments received in response to the NOP.



2.0 ENVIRONMENTAL SETTING

2.1 REGIONAL SETTING AND LOCATION

As depicted in Figure 3-1, *Regional Map*, the approximately 14.83-acre site is located in the City of Manteca, San Joaquin County, California. The City of Manteca is located in the southern portion of San Joaquin County, approximately 10 miles south of Stockton and approximately 14 miles northwest of the City of Modesto. The City is accessed by Highway 99 from the north and south and State Route (SR) 120 from the east and west. The City is bordered by the City of Lathrop to the west and unincorporated San Joaquin County to the north, south, and east. Regional access to the Project site is provided via SR-120 to the south and Highway 99 to the east.

2.2 LOCAL SETTING AND LOCATION

At the local scale, the Project site is located at 407 Spreckels Avenue (APN 221-250-350), which is part of the existing Spreckels Business Park in the City of Manteca (See Figure 3-2, *Vicinity Map*). Figure 3-3, *Aerial Photograph*, depicts the development surrounding the Project site and shows that the site is currently vacant. Spreckels Business Park is an office park environment that includes multi-tenant buildings, including industrial warehouses. As discussed in Table 2-1, *Surrounding Land Uses*, it includes JM Hunt Equipment Company, Valley Cancer Medical Center, American Modular Systems, Ford Parts Distribution Center, and Prologis Industrial Warehouse. The Project site is bounded by single-family residential units to the west, Spreckels Avenue to the east, and commercial and industrial land uses to the north and south.

2.3 SURROUNDING LAND USES

Existing land uses in the immediate vicinity of the Project site are illustrated Figure 2-1, *Surrounding Land Uses*, and are described below in Table 2-1, *Surrounding Land Uses*.

Table 2-1 Surrounding Land Uses

| Direction from Project Site | Existing Land Use | General Plan Land Use Designation | Zoning |
|------------------------------------|---|--|--------------------------------|
| North | Commercial and Industrial Uses (JM Hunt Equipment Company, Valley Cancer Medical Center, Yosemite Medical Arts) | I - Industrial | BIP (Business Industrial Park) |
| South | Industrial Uses (American Modular Systems, a manufacturer of modular classroom and school buildings) | I - Industrial | BIP (Business Industrial Park) |
| East | Industrial Uses (Ford Parts Distribution Center and Prologis Industrial Warehouse) | I - Industrial | M2 (Heavy Industrial) |
| West | Residential Uses | LDR - Low Density Residential | R-1 (One-Family Dwelling) |



2.4 PLANNING CONTEXT

2.4.1 SJCOG REGIONAL TRANSPORTATION PLAN/SUSTAINABLE COMMUNITIES STRATEGY

The SJCOG is a Joint Powers Authority (JPA) under California State law, established as an association of local governments and agencies that voluntarily convene as a forum to address regional issues. Under federal law, SJCOG is designated as a Metropolitan Planning Organization (MPO) and under State law as a Regional Transportation Planning Agency and a Council of Governments. The SJCOG region encompasses approximately 912,600 acres, including the cities of Stockton, Lodi, Manteca, Tracy, Ripon, Escalon and Lathrop.

SJCOG's 2022 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) is a transportation investment strategy through 2046, identifying transportation needs to keep pace with anticipated growth and development as well as advancing various sustainability goals. The focus of the 2022 RTP/SCS was to build upon the 2018 plan and subsequent implementation work in the form of planning studies and new programs and projects and then pivot to an approach designed to make the plan resilient in future trends or disruptions. These include technology (e.g., adoption of autonomous vehicles), the impact of extreme weather events, and changes in work environments and the economy (i.e., e-economy) (SJCOG, 2022).

2.4.2 SAN JOAQUIN COUNTY MULTI-SPECIES HABITAT CONSERVATION AND OPEN SPACE PLAN

The SJMSCP, in accordance with Federal Endangered Species Act (ESA) Section 10(a)(1)(B) and California Endangered Species Act (CESA) Section 2081(b) Incidental Take Permits, provides compensation for the Conservation of Open Space to non-Open Space uses which affect the plant, fish and wildlife species covered by the Plan. The key purpose of the SJMSCP is to (San Joaquin County, 2000):

- Provide a strategy for balancing the need to conserve Open Space and the need to Convert Open Space to non-Open Space uses while protecting the region's agricultural economy.
- Preserve landowner property rights
- Provide for the long-term management of plant, fish and wildlife species, especially those that are currently listed, or may be listed in the future, under the ESA or the CESA.
- Provide and maintain multiple-use Open Space which contribute to the quality of life of the residents of San Joaquin County.
- Accommodate a growing population while minimizing costs to project proponents and society at large.



2.4.3 CITY OF MANTECA GENERAL PLAN

The City of Manteca’s prevailing planning document is its General Plan, dated February 2024. As depicted on Figure 2-2, *Existing General Plan Land Use Map*, the City’s General Plan designates the Project site for I – Industrial. This designation provides for manufacturing, processing, assembling, research, wholesale, and storage uses, trucking terminals, railroad and freight stations, industrial parks, warehouses, distribution centers, light manufacturing, public and quasi-public uses and similar compatible uses. Uses that are incompatible with residential uses due to noise, vibration, or other characteristics are not permitted in locations that may impact existing or future residential development (City of Manteca, 2024a).

2.4.4 ZONING

As shown in Figure 2-3, *Existing Zoning*, the Project site is zoned BIP (Business Industrial Park). According to the Manteca Municipal Code, this designation creates large sites for an office park environment that includes multi-tenant buildings. It is suited for research and development facilities and light industrial uses, as well as professional and medical offices. Warehouses are permitted but limited in size (City of Manteca, 2024b).

2.5 EXISTING PHYSICAL SITE CONDITIONS

CEQA Guidelines Section 15125(a)(1), recommends that the physical environmental condition that existed at the time an EIR’s NOP is released for public review normally be used as the comparative baseline for this EIR analysis. The NOP for this EIR was released for public review on December 6, 2024, and the following pages include a description of the Project site’s physical environmental condition (“existing conditions”) as of that approximate date. Figure 2-1, *Surrounding Land Uses* depicts the existing conditions of the Project site and its surroundings. More information regarding the Project’s site’s environmental setting is provided in the specific subsections of EIR Section 4.0, *Environmental Analysis*.

2.5.1 LAND USE

Under existing conditions, the Project site is currently vacant and covered in routinely disked ruderal grassland but was previously developed as a portion of the Spreckels Sugar Factory. The Spreckels Sugar Factory began operating in 1917 and closed in 1996 for the redevelopment of a large industrial, business, commercial, and residential project known as “Spreckels Park” (AE, 2024a). Refer to Section 2.5.4, *Cultural Resources and Tribal Cultural Resources*, for a more detailed description of the sugar factory.

Six trees exist on the northwest corner of the Project site. An eight-foot solid sound wall extends along the western site boundary, and the Manteca Tidewater Bikeway extends along the eastern site boundary.



2.5.2 AIR QUALITY AND CLIMATE

The Project site is located in San Joaquin County, which is part of the San Joaquin Valley Air Basin (SJVAB) and is under the jurisdiction of the SJVAPCD. The air quality assessment for the Project includes estimating emissions associated with short-term construction and long-term operation of the Project. A number of air quality modeling tools are available to assess the air quality impacts of projects. In addition, certain air districts, such as the SJVAPCD, have created guidelines and requirements to conduct air quality analyses. SJVAPCD's current guidelines, included in its California Environmental Quality Act and Federal Conformity Guidelines, were adhered to in the assessment of air quality impacts for the Project. Refer to EIR Subsection 4.1, *Air Quality*, for a detailed discussion on the analysis of Project air quality impacts.

The SJVAB consists of eight counties: San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare, and the SJVAB portion of Kern. The SJVAB is bounded by the Sierra Nevada to the east, the Coast Ranges to the west, and the Tehachapi mountains to the south. The SJVAB has an inland Mediterranean climate with warm, dry summers and relatively cool nights and cool winters with sparse rainfall. The most significant weather pattern within the San Joaquin Valley is the semi-permanent subtropical high-pressure cell, referred to as the "Pacific High." During the summer, the Pacific High is positioned near the coast of northern California and redirects storms originating from the ocean to the north, resulting in essentially rainless summer months. During the winter, the Pacific High moves southerly allowing storms to pass through the San Joaquin Valley, resulting in most of the precipitation during December through April. During the summer, the predominant surface winds travel from the northwest and enter the Valley through the Carquinez strait to flow towards the Tehachapi Mountains. This northwesterly wind flow is interrupted in early fall by the emergence of southeasterly winds which become progressively more prevalent as winter approaches. Wind speeds are generally highest during the spring and lightest in fall and winter. The cool air flowing through the Carquinez strait is warmed as it travels southerly through the Valley. Once reaching the southern end of the Valley, the average high temperature during the summer is nearly 100 degrees Fahrenheit (°F) with relatively low humidity, causing large temperature variations throughout the day. Temperatures during the summer often drop into the upper 60s. In winter, the average high temperatures reach the mid-50s and the average low drops to the mid-30s. Snow and thunderstorms are infrequent.

Refer to EIR Subsection 4.1, *Air Quality*, and 4.6, *Greenhouse Gas Emissions*, for a more detailed discussion of the existing air quality and climate setting in the Project area.

2.5.3 VEGETATION COMMUNITIES

The Project is within the SJMSCP boundaries. The Project site has been significantly altered by human activities over the past 106 years, as it has been cleared and graded and includes a landscape which is dominated by non-native species due to human influence. Two vegetation communities and land cover types were observed within the study area: Ruderal and Developed/Disturbed.



Refer to EIR Subsection 4.2, *Biological Resources*, for a more detailed discussion of the Project site's existing biological setting.

2.5.4 CULTURAL RESOURCES & TRIBAL CULTURAL RESOURCES

The Project site was previously developed with the Spreckels Sugar Mill which was demolished in 1997. The sugar mill was built and began operation in 1918. The mill operated for over 75 years, producing refined sugar from sugar beets grown in the surrounding agricultural areas. It was one of the largest sugar beet processing plants in the world when it was built. The mill continued operations until 1996, when prolonged droughts, offshore subsidized sugar, and tighter air quality regulations pushed sugar production to states like Texas, Louisiana, and Alabama. The factory ceased operations in 1996, and after its closure, the plant was eventually demolished in 1997. (AE, 2024a).

Despite decades of archaeological research in the San Joaquin Valley, the prehistory of the region remains poorly understood due to many of the sites thought to have been destroyed by agricultural development and erosion. Nevertheless, archaeological assemblages within the San Joaquin Valley show significant variation, reflecting influences from both the Sacramento–San Joaquin Delta area and southern California. Time-sensitive artifacts, obsidian hydration measurements, radiocarbon dates, and the results of ethnographic research have shown that the Central Valley was inhabited by native peoples (perhaps as early as 13,500 years ago) over a span of many millennia, culminating in the late precontact and protohistoric occupation of the area by the Yokuts and Central Miwok. (AE, 2024a)

Refer to EIR Subsection 4.3, *Cultural Resources*, for a more detailed discussion of the existing cultural setting in the Project area.

2.5.5 GEOLOGY

The Project site is located in the Great Valley geomorphic province. The Great Valley is an elongate, northwest-trending structural trough bound by the Coast Range on the west and the Sierra Nevada on the east. The Great Valley has been and is presently being filled with sediments primarily derived from the Sierra Nevada.

The City of Manteca is not located within an Alquist-Priolo fault zone. The nearest Alquist-Priolo fault zone, the Greenville fault zone, is located approximately 25 miles southwest of Manteca (City of Manteca, 2023a). The Project site is located in an area of moderate to high seismicity. No known active faults cross the Project site and the site is not located within an Earthquake Fault Special Study Zone; however, large (greater than Moment Magnitude 7) earthquakes have historically occurred in the region and many earthquakes of low magnitude occur every year.

Soil conditions on the Project site generally consist of varying amounts of undocumented fill containing concrete debris, bricks, asphalt, and non-native rock, all of varying diameters; to a depth of approximately 2.5 to 6 feet (ENGEO, 2024). Across the site, a relatively continuous layer of medium dense silty sand extended to a depth ranging from 8 to 10½ feet. Beneath the silty sand stratum was a



continuous layer of medium dense poorly graded sand to a depth ranging from 16 to 20 feet. The sand layer was underlain by lean clay and sandy lean clay to the total depth of the explorations.

Refer to EIR Subsection 4.5, *Geology and Soils*, for a more detailed discussion of the existing geological setting.

2.5.6 HAZARDS AND HAZARDOUS MATERIALS

Historical records revealed that sugar beet processing operations took place on the Project site when the Spreckels sugar plant was operational. Operations included: underground beet flume, beet washing, diffusion, pulp dryers, and lime kiln conveyors. Support structures included a maintenance shop, a beet seed warehouse, general warehouses, above ground storage tanks (ASTs), underground storage tanks (USTs), petroleum conveyance lines, a drum and waste oil storage area, septic leach field lines, an acid/caustic storage area, solvents washdown pad, an auto shed, and former railroad spurs. Soil and groundwater impacts from petroleum hydrocarbons and other constituents were revealed during past investigations conducted in the late 1990s. Primary chemical of concerns (COCs) were petroleum hydrocarbons, solvents, volatile organic compounds (VOCs), pesticides / herbicides, and metals. Other constituents included for analysis consisted of semi-volatile organic compounds (SVOCs), polychlorinated biphenyls (PCBs), ethyl glycol, and nitrates.

The Project site is not located within an Airport Influence Area (AIA). The nearest airport to the Project site is the Stockton Metropolitan Airport, located approximately 6.8 miles northwest of the Project site. Additionally, the Project site is not located within a fire hazard severity zone (CalFire, 2025).

Refer to EIR Subsection 4.7, *Hazards and Hazardous Materials*, for a more detailed discussion of the Project's existing hazards and hazardous materials setting.

2.5.7 HYDROLOGY

The Project site is located in San Joaquin County within the San Joaquin River watershed. The San Joaquin River is about 300 miles long. It begins in the Sierra Nevada mountain range on California's eastern border. The river runs down the western slope of the Sierra and flows roughly northwest through the Central Valley, to where it meets the Sacramento River at the Sacramento-San Joaquin Delta, a 1,000-square-mile maze of channels and islands that drains more than 40 percent of the state's lands. San Joaquin County is located in the San Joaquin River Hydrological Region. The San Joaquin River is the principal river of the region, and all other streams of the region are tributary to it. The Mokelumne River and its tributary the Cosumnes River originate in the central Sierra Nevada, along with the more southerly Stanislaus and Tuolumne rivers (City of Manteca, 2017).

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 06077C0640F, the Project site is designated within "Zone X (unshaded)," which is



considered to be an area of minimal flood hazard and is not considered a special flood hazard area (FEMA, 2009).

Refer to EIR Subsection 4.8, *Hydrology and Water Quality*, for a more detailed discussion of the Project site's existing hydrology and water quality setting.

2.5.8 NOISE

Noise levels in the Project area are dominated by the transportation related noise associated with the arterial roadway network such as Cottage Ave, Spreckels Ave, Yosemite Ave, Phoenix Drive, and Moffat Blvd and the nearby land uses such as existing residences to the west and commercial uses to the north. There are no sources of groundborne vibration on the Project site under existing conditions because no heavy impact machinery is used on the site. Potential existing groundborne vibration sources near the Project site include the Union Pacific railroad located approximately 1,300 feet southwest of the site and nearby industrial uses and associated truck movement.

Refer to EIR Subsection 4.10, *Noise*, for a more detailed discussion of the Project site's existing noise setting.

2.5.9 TRANSPORTATION

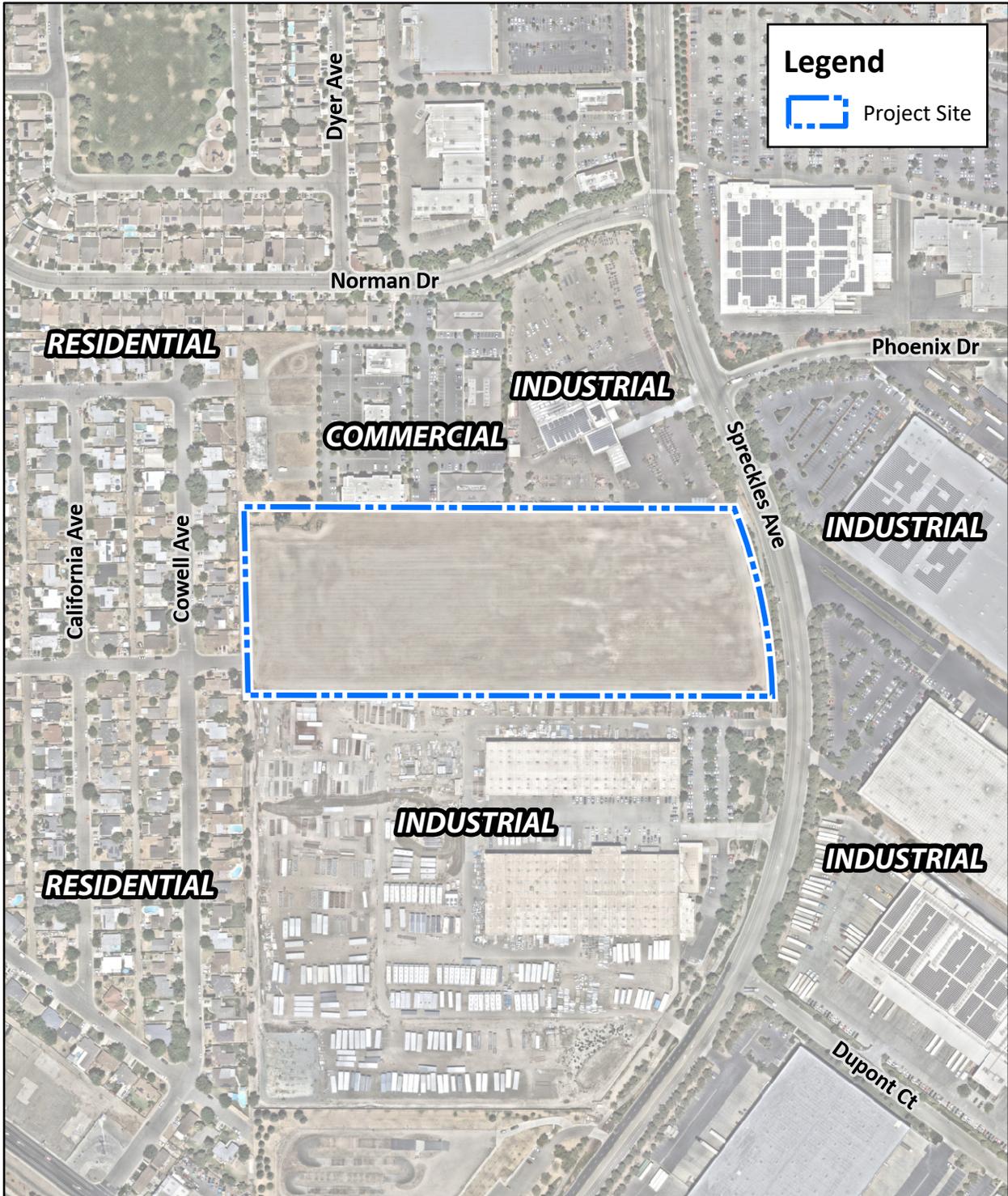
The Project site is located west of Spreckels Avenue. Spreckels Avenue is a north-south arterial that extends from Yosemite Avenue to South Main Street. In the vicinity of the Project site, it exists as a four-lane roadway and provides access to industrial, commercial, and agricultural land uses.

The City of Manteca General Plan, Figure C-2: Active Transportation Plan – Pedestrian Network and Figure C-3: Active Transportation Plan – Bicycle Network, show an existing Class 1 Bike path and Class1 – Multi-Use Path along the west side of the Spreckels Avenue corridor between Yosemite Avenue and Moffat Boulevard. These facilities provide bicycle and pedestrian access throughout the area. .

Refer to EIR Subsection 4.11, *Transportation*, for a more detailed discussion of the Project site's existing transportation setting.

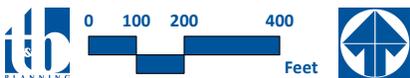
2.5.10 RARE AND UNIQUE RESOURCES

As required by CEQA Guidelines Section 15125(c), the environmental setting should place special emphasis on resources that are rare or unique to that region and would be affected by the Project. Based on the existing conditions of the Project site and surrounding area described above and discussed in more detail in Section 4.0, *Environmental Analysis*, the Project would not affect any resources that are rare or unique to the region.

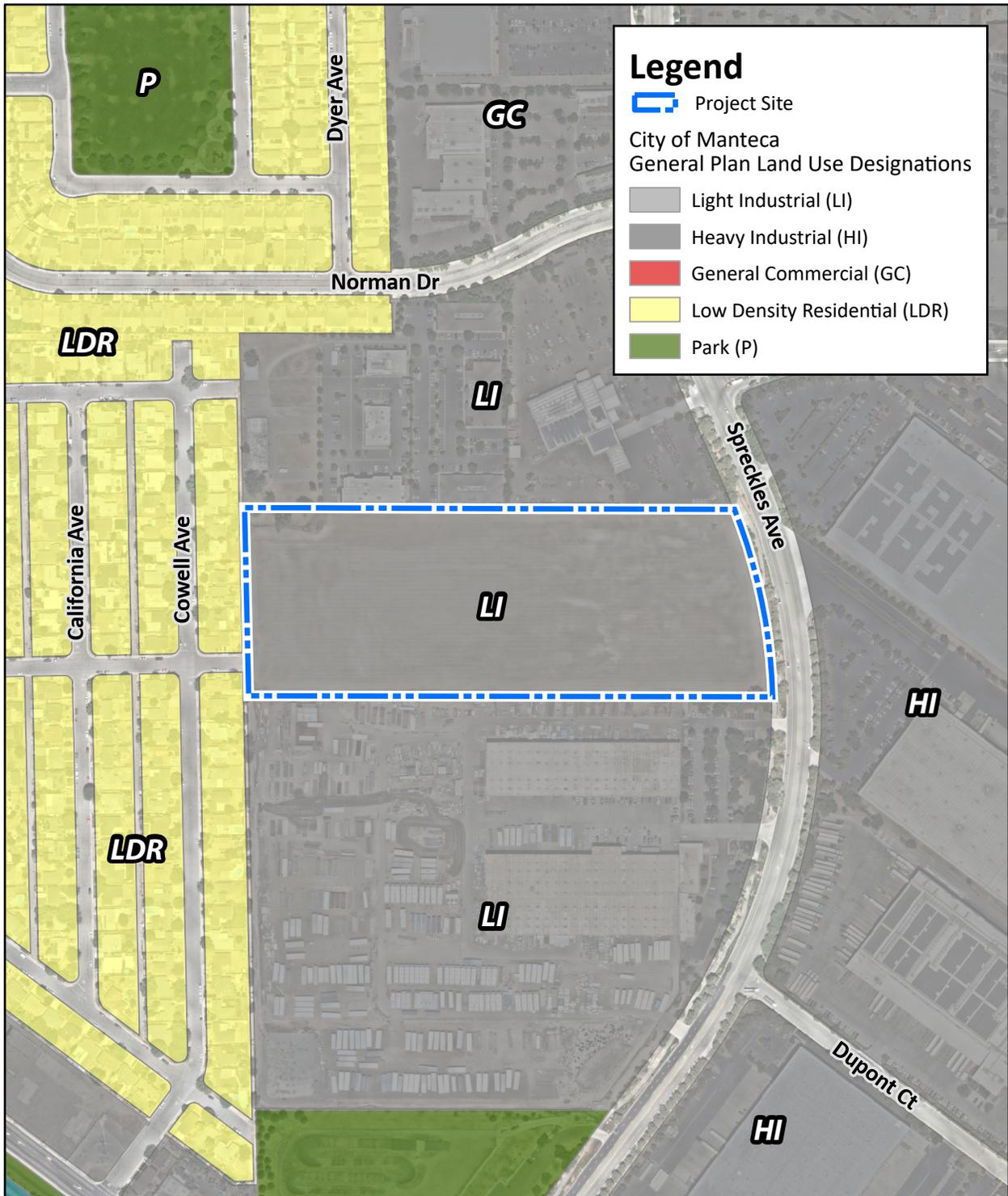


Source(s): Esri, Nearmap Imagery (June 2024)

Figure 2-1

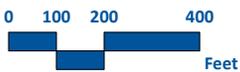


Surrounding Land Uses

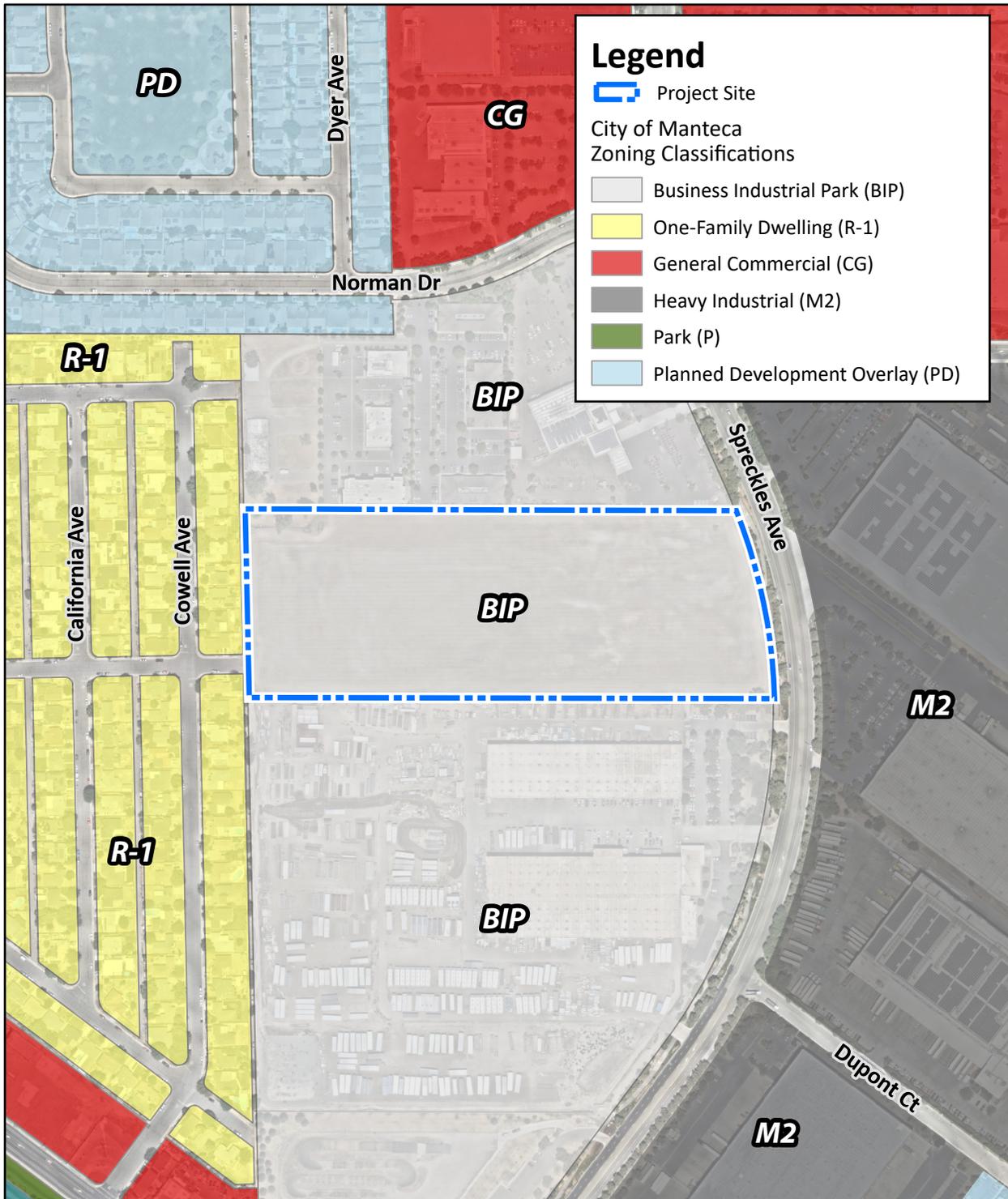


Source(s): City of Manteca (12-19-2022), Esri, Nearmap Imagery (June 2024)

Figure 2-2

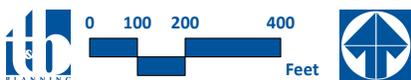


Existing General Plan Land Use Designations



Source(s): City of Manteca (12-19-2022), Esri, Nearmap Imagery (June 2024)

Figure 2-3



Existing Zoning



3.0 PROJECT DESCRIPTION

This section will provide all of the information required for an EIR Project Description by CEQA Guidelines Section 15124, including a description of the Project's precise location and boundaries; a statement of the Project's objectives; a description of the Project's technical, economic, and environmental characteristics; and a description of the intended use of this EIR, including a list of the government agencies that are expected to use this EIR in their decision-making process; a list of the permits and approvals that are required to implement the project; and a list of related environmental review and consultation requirements.

3.1 PROJECT LOCATION AND ACCESS

As depicted in Figure 3-1, *Regional Map*, the approximately 14.83-acre site is located in the City of Manteca, San Joaquin County, California. The City of Manteca is located in the southern portion of San Joaquin County, approximately 10 miles south of Stockton and approximately 14 miles northwest of the City of Modesto. The City is accessed by Highway 99 from the north and south and SR 120 from the east and west. The City is bordered by the City of Lathrop to the west and unincorporated San Joaquin County to the north, south, and east. Regional access to the Project site is provided via SR-120 to the south and Highway 99 to the east.

At the local scale, the Project site is located at 407 Spreckels Avenue APN 221-250-350), which is part of the existing Spreckels Business Park in the City of Manteca (see Figure 3-2, *Vicinity Map*). Figure 3-3, *Aerial Photograph*, depicts the development surrounding the Project site and shows that the site is currently vacant. The Project site is bounded by single-family residential units to the west, Spreckels Avenue to the east, and commercial and industrial land uses to the north and south.

Under existing conditions, the Project site is currently vacant and covered in routinely disked ruderal grassland, but was previously developed as a portion of the Spreckels Sugar Factory. Six trees exist on the northwest corner of the Project site. An eight-foot solid sound wall extends along the western site boundary, and the Manteca Tidewater Bikeway extends along the eastern site boundary.

3.2 STATEMENT OF OBJECTIVES

The fundamental purpose and goal of the Project is to accomplish the orderly development of an appropriately zoned and designated warehouse building in the City of Manteca while also contributing to increased employment opportunities within the area. The Project objectives have been refined throughout the planning and design process for the Project and are listed below:

- Create a professional, well-maintained and attractive environment for the development of a warehouse building consistent with the underlying zoning adjacent to nearby transportation infrastructure such as the State Route-99, State Route-120, and the Union Pacific Railroad.



- Provide the entitlements and framework for redevelopment of the site with a Class “A” warehouse and office building that is responsive to local and regional trade demands.
- Provide development that will enhance the City’s economic well-being and employment opportunities for community residents.
- Facilitate a project that provides goods to the regional economy.

3.3 PROJECT’S COMPONENT PARTS AND DISCRETIONARY APPROVALS

The Project involves discretionary applications for a Conditional Use Permit and Site Plan Review. These principal discretionary actions required of the City of Manteca to implement the Project are described in detail on the following pages. Additional discretionary and administrative actions that would be necessary to implement the proposed Project are listed in Table 3-3, *Matrix of Project Approvals/Permits*, at the end of this Section.

3.3.1 SITE PLAN REVIEW

The proposed Site Plan specifies a development plan for the Project site that provides for the construction and operation of an industrial building with approximately 289,449 s.f. of building floor area, including 279,449 s.f. of warehouse space and 10,000 s.f. of ancillary office use. Although the future tenants of the proposed building are unknown at this time, for purposes of analysis within this EIR it is assumed that the building could include high-cube cold storage uses and general warehouse uses. Future industrial uses may include general warehouse, high-cube warehouse, high-cube cold storage, manufacturing, research and development. The detailed components of the proposed Site Plan are described below. The Project building would be designed and built to meet the standard for Leadership in Energy and Environmental Design (LEED) Silver Certification, or above.

A. Site Planning and Building Configuration

The proposed Site Plan for the Project is illustrated on Figure 3-4, *Proposed Site Plan*. The proposed building is designed as a rectangular-shaped building with its elongated sides oriented parallel to the Project site’s northern and southern boundaries. The proposed building would include 46 loading docks southern side of the building and 83 total truck trailer parking spaces. The truck courts/loading areas would be enclosed and screened from public viewing areas by landscaping and minimum 8-foot-tall screening walls, with 8-foot-tall wrought iron fencing used at the access points to the truck courts/loading areas. Passenger vehicle parking areas would be provided on the western and eastern sides of the building with a total of 184 on-site passenger vehicle spaces. Of the 184 spaces, 97 stalls would be designated as standard, 4 stalls would be designated Americans with Disabilities Act (ADA) Accessible, 4 stalls would be designated as ADA Van Accessible, 79 stalls would be designed as electric vehicle capable. The Project would also install 12 short-term and 12 long-term bike parking spaces.



B. Architecture Plan

As depicted in Figure 3-5, *Building Elevations (North, West and South)*, and Figure 3-6, *Building Elevations (East)*, the proposed building would be a one-story, 45-foot tall warehouse/distribution and office facility, which has been designed to be visually compatible with the adjacent buildings. There are varying aesthetic colors and materials which eliminate the appearances of “sameness” or “flat” from the publicly visible elevations. The primary color scheme of the proposed building would include varying shades of white, grays, and tan. The proposed building would be constructed with concrete tilt-up panels, with special architectural features and colors at the potential office locations at the corners of the building, which also would feature low-reflective green glass.

C. Vehicle Circulation

Access to the Project site would be provided by two driveways along Spreckels Avenue to the east, and a third entryway (restricted to passenger cars) along the utility access road of the adjacent industrial park to the north. Each of the three access points would include pre-security parking and a security gate. The first driveway, intended for both truck traffic and vehicle traffic, would be located at the northeast corner of the Project site along Spreckels Avenue. The second driveway, south of the first driveway along Spreckels Avenue, is also intended for both truck traffic and vehicle traffic. The third driveway, along the utility access road, is intended for passenger vehicle traffic only. Truck traffic would enter from either the northeast or southeast corner of the Project site and would follow the perimeter of the proposed building. Loading activities would be conducted on the south side of the building, shielded from view from the adjacent streets. Additionally, a traffic signal will be installed at the Spreckels Avenue and Phoenix Drive intersection.

D. Landscaping and Lighting

There is a total of 19 existing trees onsite and the Project would require the removal of 3 existing trees at the northwestern corner and protect in place the existing trees at the Project frontage. As depicted on Figure 3-7, *Landscaping Plan*, proposed landscaping would be ornamental in nature and would feature trees, shrubs, and drought-tolerant accent plants in addition to a variety of groundcovers. Landscaping is proposed along the Project’s frontage with Spreckels Avenue and along the Project site’s northern, western, and southern boundaries. Landscaping also would occur at building entries and in and around automobile parking areas. The proposed landscaping would provide a total of 41,357 s.f. of shade (36,132 s.f. is required). Additionally, the Project would comply with the Outdoor Potable Water Reduction Requirements of the California Green Building Standards Code 4.304 and the Manteca Water Efficient Landscape Ordinance.

Exterior lighting would be installed on-site as necessary for safety, security, and wayfinding. Decorative architectural lighting as well as landscape lighting would also be installed to accent building entries as focal points throughout the site. Exterior loading and parking areas would also be illuminated at night. Lighting would be subject to compliance with all applicable Manteca Municipal Code sections, including Chapter 17.50 which requires: all outdoor lighting to be designed, located, installed,



directed downward or toward structures, shielded, and maintained in order to prevent glare, light trespass, and light pollution.

3.3.2 INFRASTRUCTURE IMPROVEMENTS

A. Water Service

Water service to the Project site would be provided by the City of Manteca Water Division. As shown in Figure 3-8, *Proposed Utility Plan*, water would be accommodated via a proposed 2-inch water main that would extend from the northeastern corner of the building to an existing point of connection at Spreckels Avenue to the existing 12-inch water main.

B. Sewer Service

Sewer service would be provided by the City of Manteca Sewer Division. As shown in Figure 3-8, a proposed 6-inch sewer line would extend from the northeastern corner of the building, which would connect to the existing sewer main on Spreckels Avenue.

C. Stormwater Drainage

As shown in Figure 3-9, *Proposed Stormwater Quality Control Plan*, runoff from the majority (13.91 acres; Drainage Management Area [DMA] 1) of the Project site is treated through an underground infiltration basin and runoff from the remaining eastern 0.92-acre area (DMA 2) drains to bioretention planter. For DMA 1, the rainfall will be picked up by catch basins throughout the site and routed to an underground infiltration basin by an underground storm drain line. The runoff will then percolate into the ground in typical storms or overflows to the City system in large events. For DMA 2, rainfall is routed and captured by the bioretention planter and picked up by an underground storm drain line. This onsite storm drain line will then combine with the infiltration basin overflow and connect into the existing 30" storm main running south on Spreckels Avenue.

D. Dry Utilities

Electricity and natural gas service would be provided by PG&E. The Project would connect to existing electrical and natural gas infrastructure in the Project vicinity.

3.4 SCOPE OF ENVIRONMENTAL ANALYSIS

3.4.1 PROJECT CONSTRUCTION CHARACTERISTICS

A. Proposed Physical Disturbances

For the purposes of analysis throughout this EIR, it is assumed that implementation of the Project would result in disturbance to the entire 14.83-acre Project site. Additionally, the Project would result in temporary impacts to site-adjacent areas during construction. The Project would not result in substantial off-site disturbances, such as modifications to water, sewer, and roadway facilities. The conceptual grading plan indicates that the Project site will require 26,100 cubic yards (CY) of cut and



26,100 CY of fill, requiring no export/import of soils. The maximum depth of excavation for utilities is approximately 15 feet below existing grade. Figure 3-10, *Proposed Grading Plan*, identifies proposed final grade elevations for the proposed building pad and parking areas.

B. Timing of Construction Activities

Construction is expected to occur over a 10-month period. For analytical purposes, the number of days for each construction phase will be based on CalEEMod default settings, which are based on empirical data collected by air pollution regulators. The anticipated duration of each phase of construction is identified in Table 3-1, *Construction Activity Phases and Durations*.

Table 3-1 Construction Activity Phases and Durations

| Phase Name | Days |
|-----------------------|------|
| Site Preparation | 5 |
| Grading | 18 |
| Building Construction | 198 |
| Paving | 30 |
| Architectural Coating | 30 |

C. Anticipated Construction Equipment

For analytical purposes, the construction equipment list will be based on CalEEMod default settings, which are based on empirical data collected by air pollution regulators. The anticipated construction equipment requirements are identified in Table 3-2, *Construction Equipment Requirements*.

Table 3-2 Construction Equipment Requirements

| Activity | Equipment ¹ | Number | Hours Per Day |
|-----------------------|---------------------------|--------|---------------|
| Site Preparation | Crawler Tractors | 3 | 8 |
| Grading | Excavators | 1 | 8 |
| | Graders | 1 | 8 |
| | Rubber Tired Dozers | 1 | 8 |
| | Scrapers | 3 | 8 |
| Building Construction | Cranes | 1 | 8 |
| | Forklifts | 3 | 8 |
| | Generator Sets | 1 | 8 |
| | Tractors/Loaders/Backhoes | 4 | 8 |
| | Welders | 1 | 8 |
| Paving | Pavers | 2 | 8 |
| | Paving Equipment | 2 | 8 |
| | Rollers | 2 | 8 |
| Architectural Coating | Air Compressors | 1 | 8 |



¹ In order to account for fugitive dust emissions, Crawler Tractors were used in lieu of Tractors/Loaders/Backhoes during the site preparation phase of Project construction.

3.4.2 PROJECT OPERATIONAL CHARACTERISTICS

At the time this EIR was prepared, the future occupant(s) of the Project's building was unknown. Thus, for purposes of evaluation in this EIR, the Project is assumed to be operational 24 hours per day, seven days per week, with exterior loading and parking areas illuminated at night.

The building is designed such that business operations would be conducted within the enclosed building, with the exception of traffic movement, parking, and the loading and unloading of tractor trailers at designated loading bays and trailer parking stalls. The outdoor cargo handling equipment used during loading, and unloading of trailers (e.g., yard trucks, hostlers, yard goats, pallet jacks, forklifts) is expected to be non-diesel powered per contemporary industry standards. As a practical matter, dock doors on warehouse buildings are not occupied by a truck at all times of the day. There are typically many more dock door positions on warehouse buildings than are needed for receiving and shipping volumes. The dock doors that are in use at any given time are usually selected based on interior building operation efficiencies. In other words, trucks dock in the position closest to where the goods carried by the truck are stored inside the warehouse. As a result, many dock door positions are frequently inactive throughout the day.

A. Estimated Traffic Generation and Energy Demand

The Project trip generation volumes were estimated using the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition. The ITE Trip Generation Manual contains trip generation rates for each of the possible warehouse types. However, each type has distinctive characteristics for overall daily and AM and PM peak hour traffic, as well as differences in the percentage breakdown between automobiles and trucks. Given that a user has not yet been identified, a blended rate was developed using a combination of warehouse types to cover the maximum potential trip generation anticipated for the project. The blended rate uses the (157) High-Cube Cold Storage rate for the daily traffic, and the (150) General Warehouse rate for the peak hour traffic.

Based on a Project-specific traffic analysis conducted by Ruettggers & Schuler (*Technical Appendix K*), and as discussed in Section 4.11, *Transportation*, of this EIR, the Project is estimated to result in a total of 614 daily trips with 49 trips in the AM peak hour and 52 trips in the PM peak hour.

Based on calculations from the Project's energy analysis (Section 4.4, *Energy*, of this EIR), the Project's energy use is estimated at approximately 7,292,690 kilowatt hours (kWh) per year, and natural gas usage is estimated at approximately 1,436,010 Thousand-British Thermal Units per year (kBTU/yr).



3.5 SUMMARY OF REQUESTED ACTIONS

The City of Manteca has primary approval responsibility for the Project. As such, the City of Manteca serves as the Lead Agency for this EIR pursuant to CEQA Guidelines Sections 15050 and 15051. The role of the Lead Agency was previously detailed in EIR Section 1.0, *Introduction*. As part of the approval process for the Project, the City’s Planning Commission will hold a public hearing to consider the Project’s Site Plan and Conditional Use Permit. The Planning Commission will consider certification of this EIR, and also will approve, approve with changes, or disapprove proposed Site Plan and CUP. In the event that an appeal is filed with the City Clerk within ten (10) days of the of the Planning Commission’s decision, a public hearing would be held before the City Council, which may affirm, reverse, or modify the decision of the Planning Commission.

3.6 RELATED ENVIRONMENTAL REVIEW AND CONSULTATION

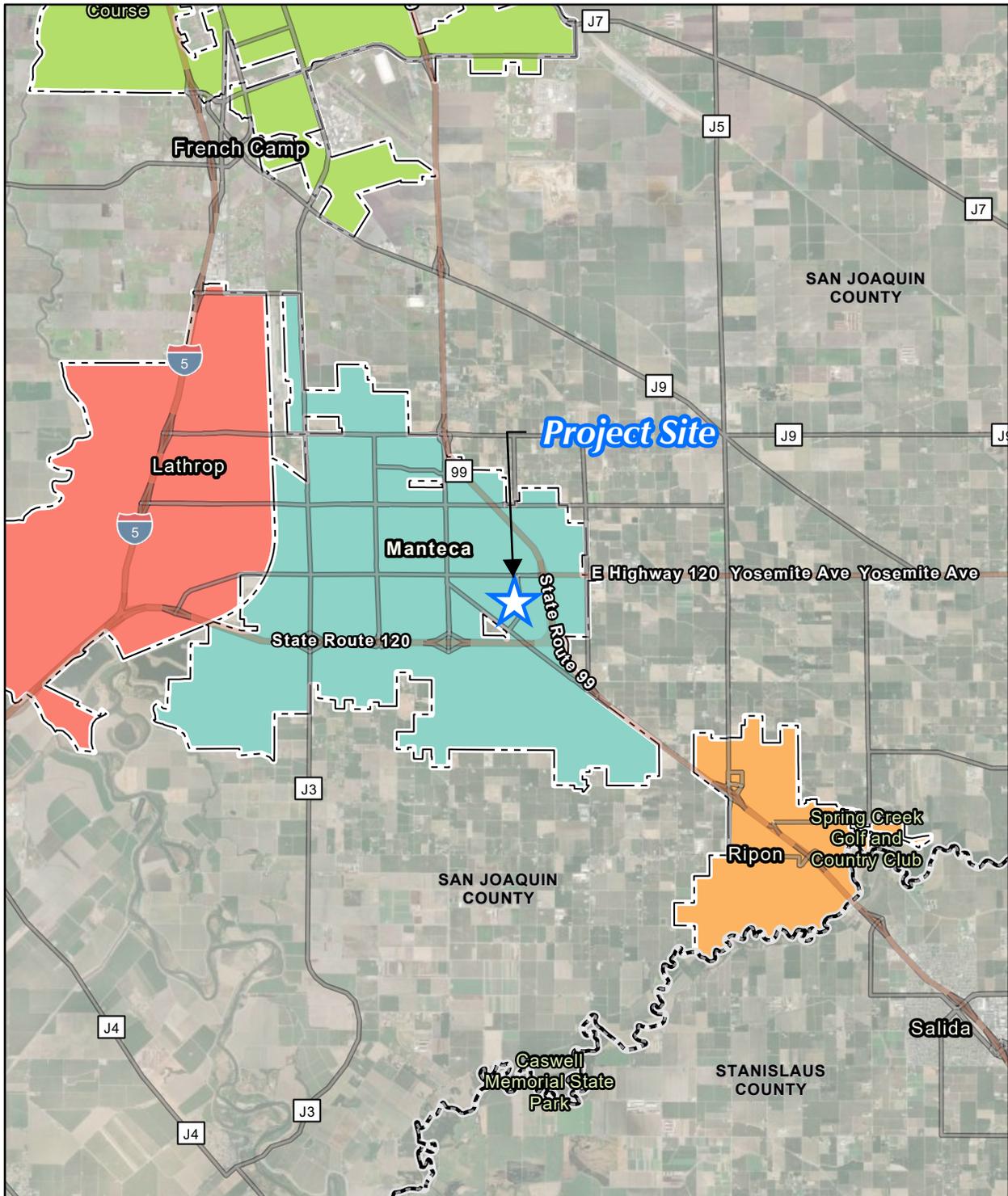
Should the City of Manteca approve the Project and certify the Final EIR, additional discretionary and/or ministerial actions would be necessary to implement the Project. Table 3-3, *Matrix of Project Approvals/Permits*, list the agencies that are expected to use this EIR and provides a summary of the subsequent actions associated with the Project. This EIR covers all federal, State, and local government and quasi-governmental approvals which may be needed to construct and implement the Project, whether or not they are explicitly listed in Table 3-3 or elsewhere in this EIR (CEQA Guidelines § 15124(d)).

Table 3-3 Matrix of Project Approvals/Permits

| Public Agency | Approvals and Decisions |
|---|--|
| Proposed Project – City of Manteca Discretionary Approvals | |
| City of Manteca Planning Commission | <ul style="list-style-type: none"> • Approve, conditionally approve, or deny Site Plan and Conditional Use Permit. • Certify or decline to certify this EIR along with appropriate CEQA Findings. |
| Subsequent City of Manteca Ministerial Approvals | |
| City of Manteca Departments and Divisions | <ul style="list-style-type: none"> • Approve precise site plan(s) and landscaping/irrigation plan (s), as may be appropriate. • Issue Grading Permits. • Issue Building Permits. • Approve Road Improvement Plans. • Issue Encroachment Permits. • |
| Other Agencies – Subsequent Approvals and Permits | |
| Central Valley Regional Water Quality Control Board | <ul style="list-style-type: none"> • Issuance of a Construction Activity General Construction Permit. • Compliance with National Pollutant Discharge Elimination System (NPDES) Permit. Waste Discharge Requirements. |

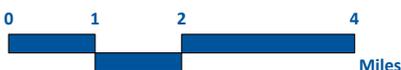


| Public Agency | Approvals and Decisions |
|--|--|
| | <ul style="list-style-type: none">• Issuance of a Water Quality Certification pursuant to Section 401 of the federal Clean Water Act (CWA). Approve the Stormwater Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP). |
| San Joaquin County Flood Control and Water Conservation District | <ul style="list-style-type: none">• Approval of the Project’s proposed drainage improvements. |
| City of Manteca Fire Department (MFD) | <ul style="list-style-type: none">• Approval of fire hydrant locations and fire protection features for the proposed building. |
| San Joaquin Valley Air Pollution Control District | <ul style="list-style-type: none">• Issuance of construction-related air permits. |
| City of Manteca Water and Sewer Division | <ul style="list-style-type: none">• Approval of proposed water and sewer improvements and connections. |
| Pacific Gas and Electric (PG&E) | <ul style="list-style-type: none">• Approvals required for the installation of new PG&E facilities/connections to service the Project. |

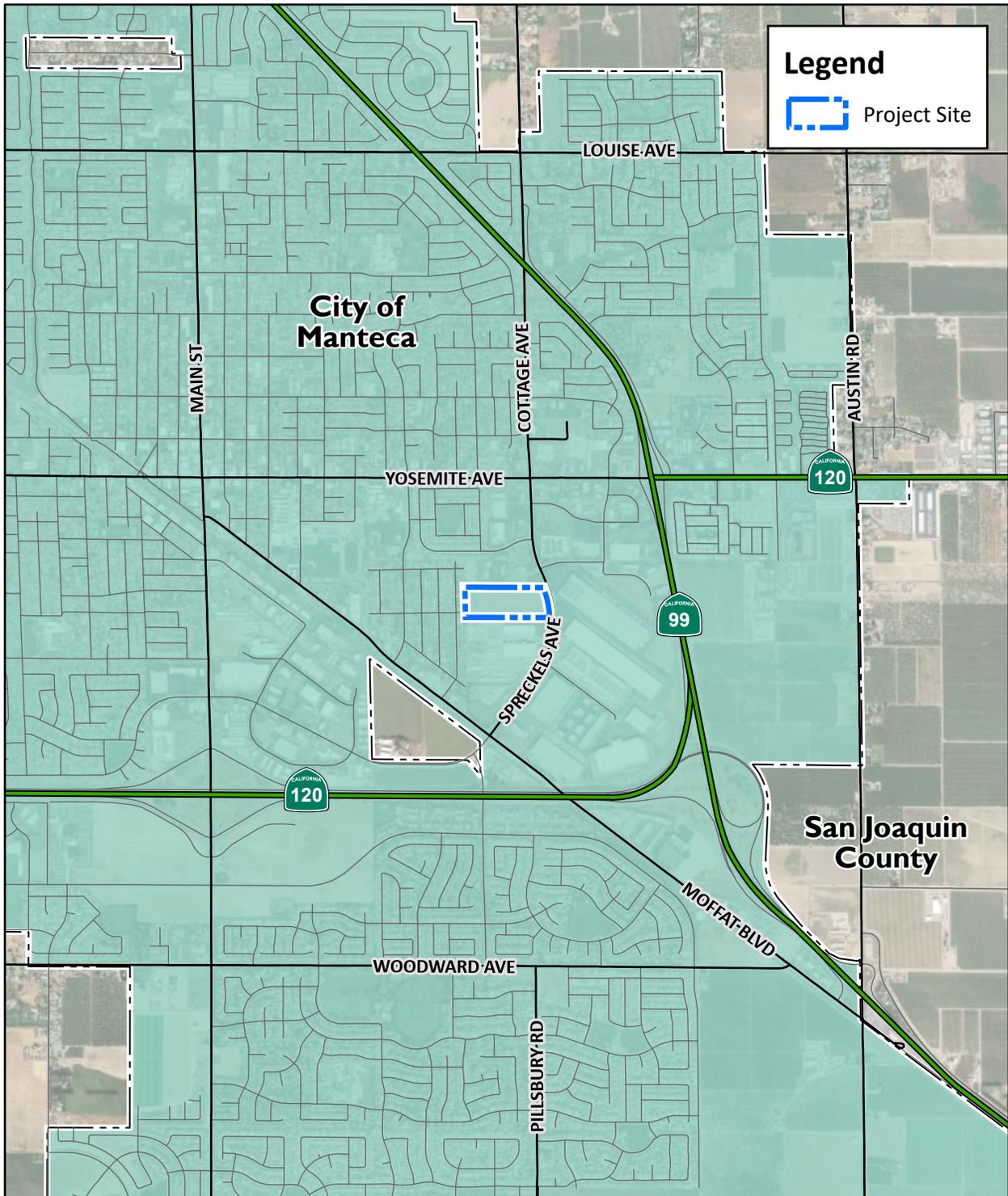


Source(s): Esri, San Joaquin County (2024)

Figure 3-1

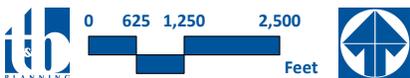


Regional Map

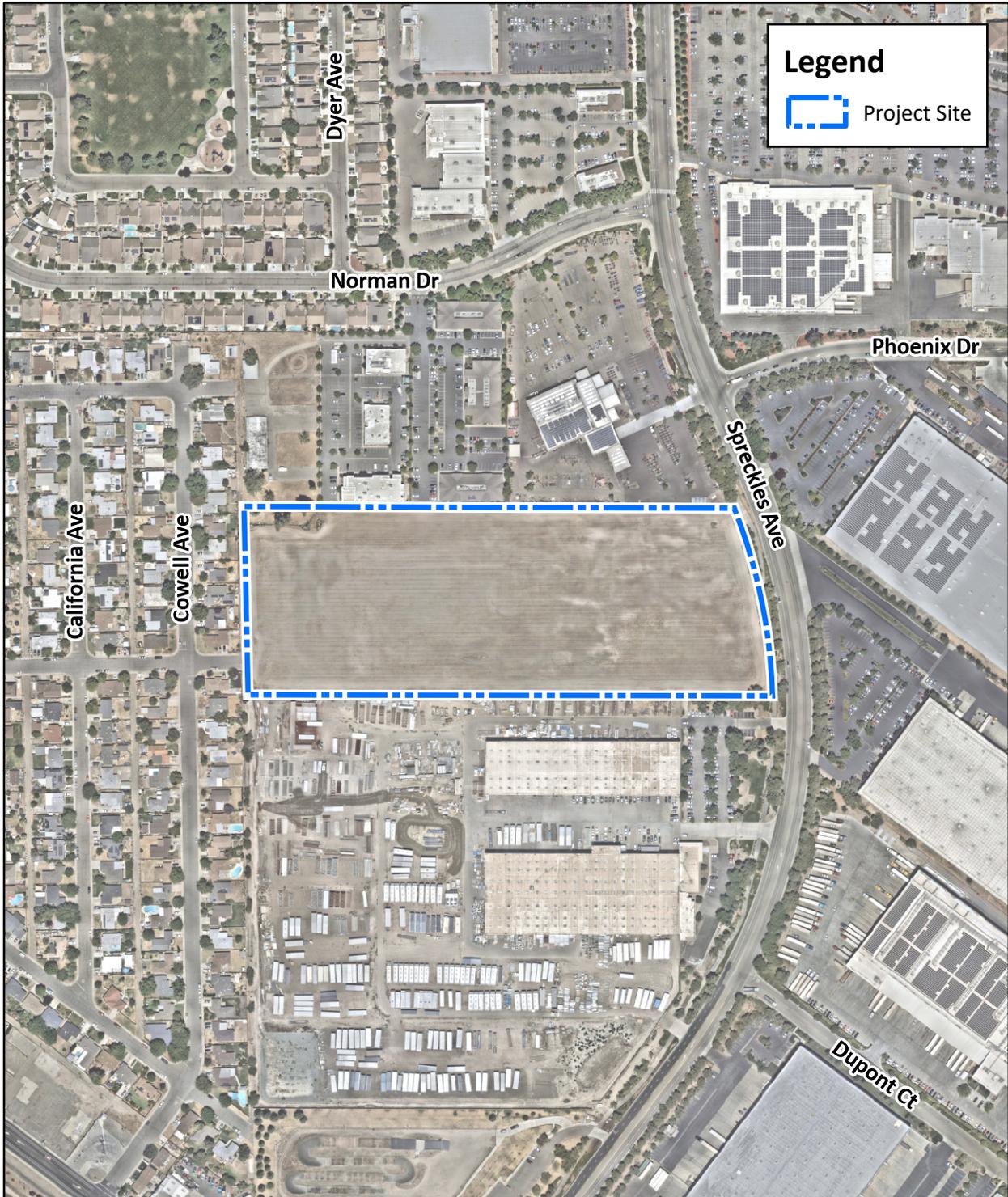


Source(s): Esri, San Joaquin County (2024)

Figure 3-2

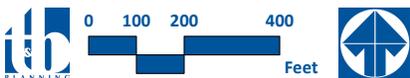


Vicinity Map

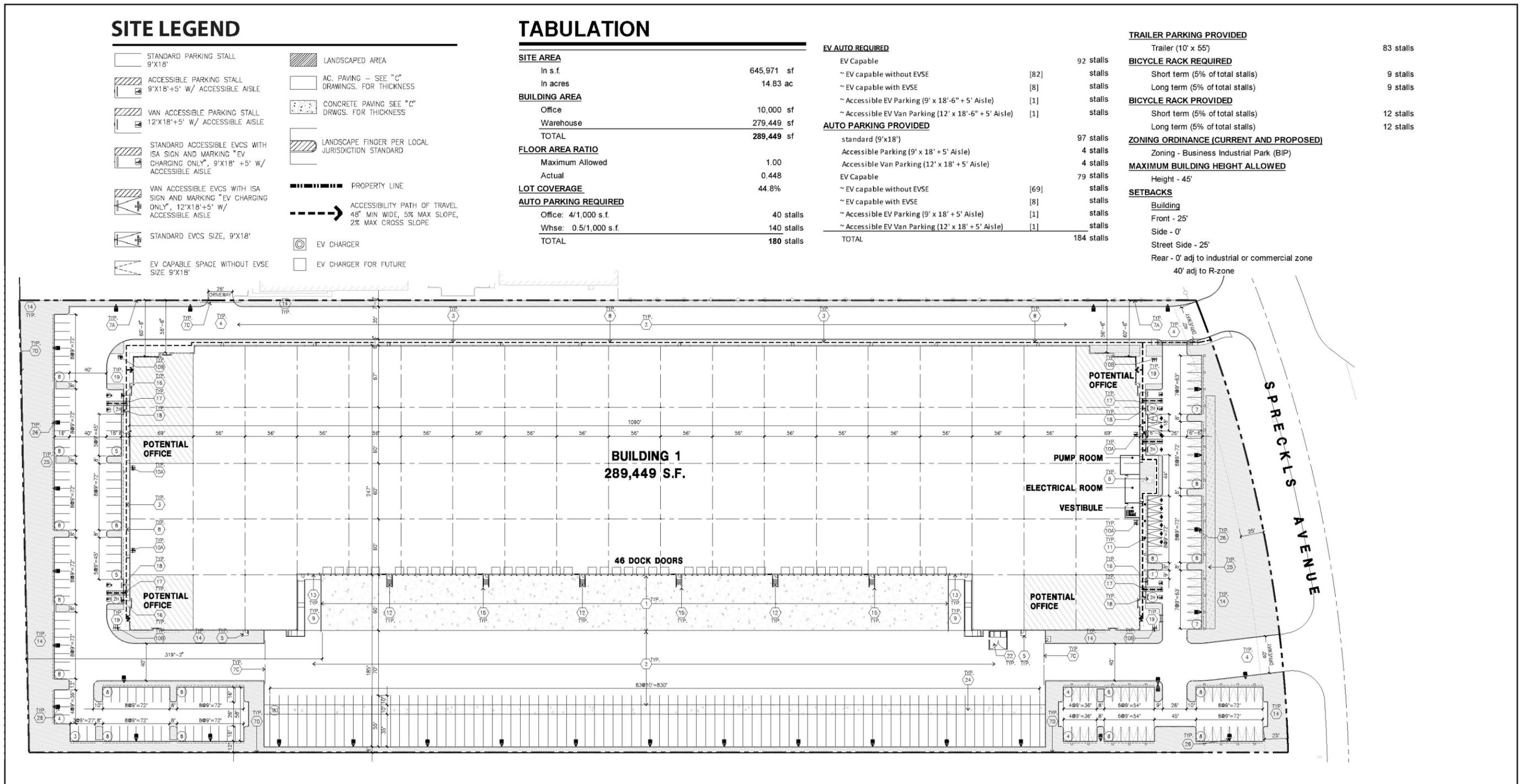


Source(s): Esri, Nearmap Imagery (June 2024)

Figure 3-3

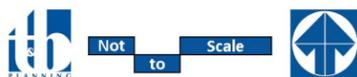


Aerial Photograph



Source(s): HPA (04-08-2024)

Figure 3-4



GLAZING LEGEND

NOTE: ALL EXTERIOR AND INTERIOR GLAZING SHALL BE TEMPERED.

- INSULATED VISION GLASS
- SPANDELL GLASS WITH CONCRETE BEHIND
- SINGLE LITE VISION GLASS

IV : INSULATED VISION GLASS
 1/4" ATLANTICA + 1/4" SUNGLATE 400 CLEAR
 1" INSULATED GLASS UNIT WITH 1/2" AIRSPACE AND 1/4" LITES
 U: 0.27 SHGC: 0.39 VLT: 58%
 MINIMUM VT TO BE 0.42 PER 2016 CEC TABLE 140J.3-B

V : VISION GLASS
 1/4" ATLANTICA

S : SPANDELL
 1/4" CLEAR WITH ATLANTIC WATERS OPACICODAT

MULLIONS : CLEAR ANODIZED MULLIONS.

KEYNOTES - ELEVATIONS

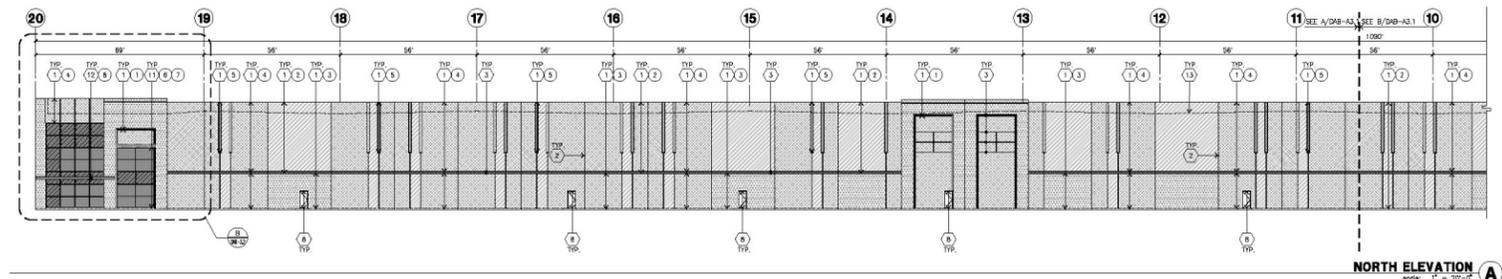
- 1 CONCRETE TILT-UP PANEL (PAINTED). FINISH GRADE VARIES. SEE "C" DRAWINGS. WATERPROOF ALL WALLS WHERE EXTERIOR GRADE IS HIGHER THAN FINISH FLOOR AND EXPOSED TO THE WEATHER. WATERPROOFING TO BE PROTECTED WITH PROTECTION BOARD AND A MIN. OF 6" OF GRAVEL. PROVIDE TRENCH DRAIN AT BOTTOM AND DAYLIGHT TO CURB OR TAKE TO STORM DRAIN.
- 2 PANEL JOINT.
- 3 PANEL REVEAL. ALL REVEALS TO HAVE A MAX. OF 3/8" CHAMFER. REVEAL COLOR TO MATCH ADJACENT BUILDING FIELD COLOR. U.N.O.
- 4 OVERHEAD DOOR @ DRIVE THRU. PROVIDE COMPLETE WEATHER-STRIPPING PROTECTION ALL AROUND.
- 5 OVERHEAD DOOR @ DOCK HIGH. PROVIDE COMPLETE WEATHER-STRIPPING PROTECTION ALL AROUND.
- 6 EXTERIOR METAL STEEL STAIR.
- 7 METAL LOUVER. PAINT TO MATCH BUILDING COLOR.
- 8 HOLLOW METAL DOORS. PROVIDE COMPLETE WEATHER STRIPPING ALL AROUND DOOR. PROVIDE FOR RAIN DIVERTER ABOVE DOOR.
- 9A EXTERIOR DOWNSPOUT WITH OVERFLOW SCUPPERS.
- 9B INTERIOR ROOF DRAIN & OVERFLOW SCUPPERS.
- 10 DOCK BUMPER.
- 11 ALUMINUM STOREFRONT FRAMING WITH TEMPERED GLAZING.
- 12 METAL TUBE STEEL CANOPY
- 13 ROOF LINE BEYOND

GENERAL NOTES - ELEVATIONS

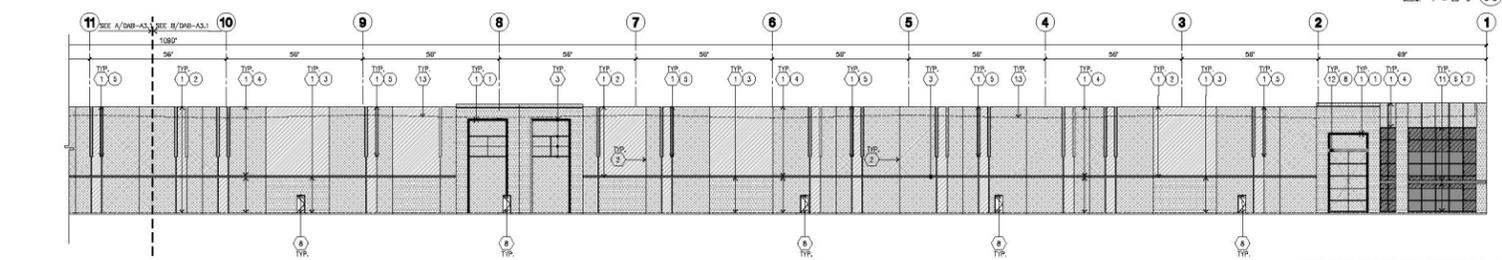
- A. ALL PAINT COLOR CHANGES TO OCCUR AT INSIDE CORNERS UNLESS NOTED OTHERWISE.
- B. ALL PAINT FINISHES ARE TO BE FLAT UNLESS NOTED OTHERWISE.
- C. T.O.P. EL. = TOP OF PARAPET ELEVATION.
- D. F.F. = FINISH FLOOR ELEVATION.
- E. STOREFRONT CONSTRUCTION: GLASS, METAL ATTACHMENTS AND UNTELS SHALL BE DESIGNED TO RESIST CITY REQUIRED WIND SPEED EXPOSURE. "C" WINDS. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS PRIOR TO INSTALLATION.
- F. CONTRACTOR SHALL FULLY PAINT SEVERAL CONCRETE PANEL W/ SELECTED COLORS. LOCATION TO BE SELECTED BY ARCHITECT. ARCHITECT AND OWNER SHALL APPROVE PRIOR TO PAINTING REMAINDER OF BUILDING.
- G. BACK SIDE OF PARAPETS TO HAVE SMOOTH FINISH AND BE PAINTED WITH ELASTOMERIC PAINT.
- H. FOR SPANDELL GLAZING, ALLOW SPACE BEHIND SPANDELL TO BREATHE.
- J. USE ADHESIVE BACK WOOD STRIPS FOR ALL REVEAL FORMS.
- K. THE FIRST COAT OF PAINT TO BE ROLLED-ON AND THE SECOND COAT TO BE SPRAYED-ON.
- L. EXTERIOR STAIRS AND RAMPS TO MATCH BUILDING COLOR. RAILINGS TO MATCH BUILDING COLOR.
- M. ALL DOORS TO BE PAINTED THE SAME COLOR AS THE ADJACENT WALL.
- N. WHERE GLAZING CROSSES THE PANEL JOINT AND A SINGLE MULLION SHALL BE PROVIDED, DOUBLE MULLIONS ARE NOT AN ACCEPTABLE ALTERNATE.

ELEVATION COLOR LEGEND/SCHED.

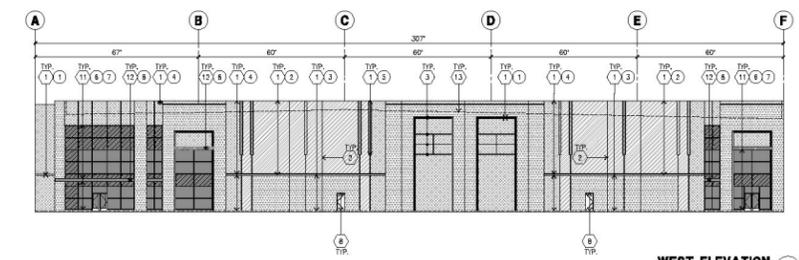
- 1 CONCRETE TILT-UP PANEL PAINT BRAND_PLD-9 PURE WHITE
- 2 CONCRETE TILT-UP PANEL PAINT BRAND_PLD-10 FIRST STAR
- 3 CONCRETE TILT-UP PANEL PAINT BRAND_PLD-6 SABLE
- 4 CONCRETE TILT-UP PANEL PAINT BRAND_PLD-7 LIQUIDRICE TINT
- 5 CONCRETE TILT-UP PANEL PAINT BRAND_PLD-5 NEW DARK GREEN
- 6 MULLIONS PAINT BRAND_CLEAR ANODIZED ALUMINUM
- 7 GLAZING COLOR GREEN GLAZING
- 8 METAL CANOPY PAINT BRAND_PLD-9 PURE WHITE



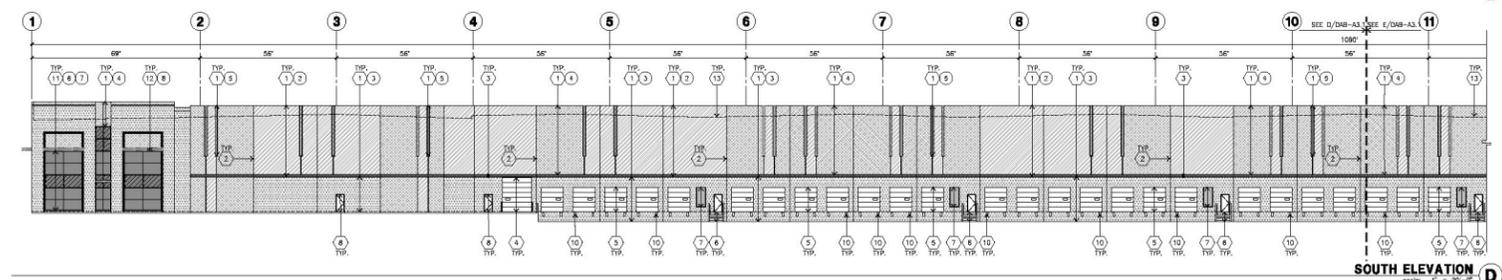
NORTH ELEVATION
 scale: 1" = 20'-0"



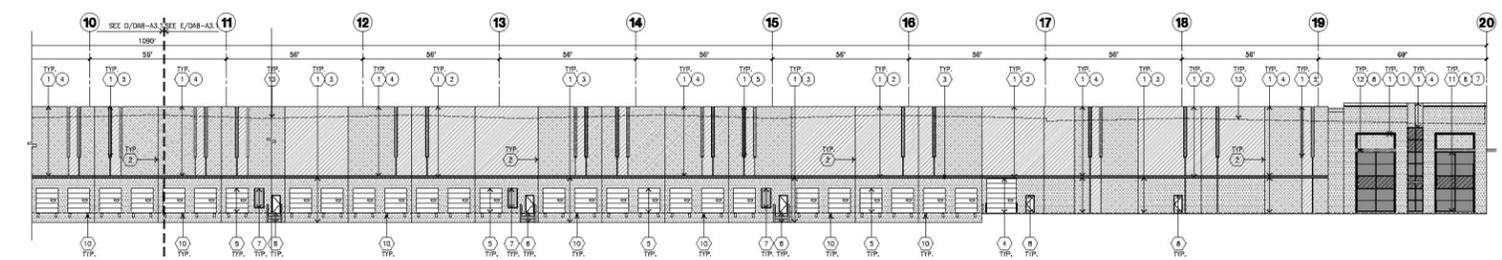
NORTH ELEVATION (CONT.)
 scale: 1" = 20'-0"



WEST ELEVATION
 scale: 1" = 20'-0"



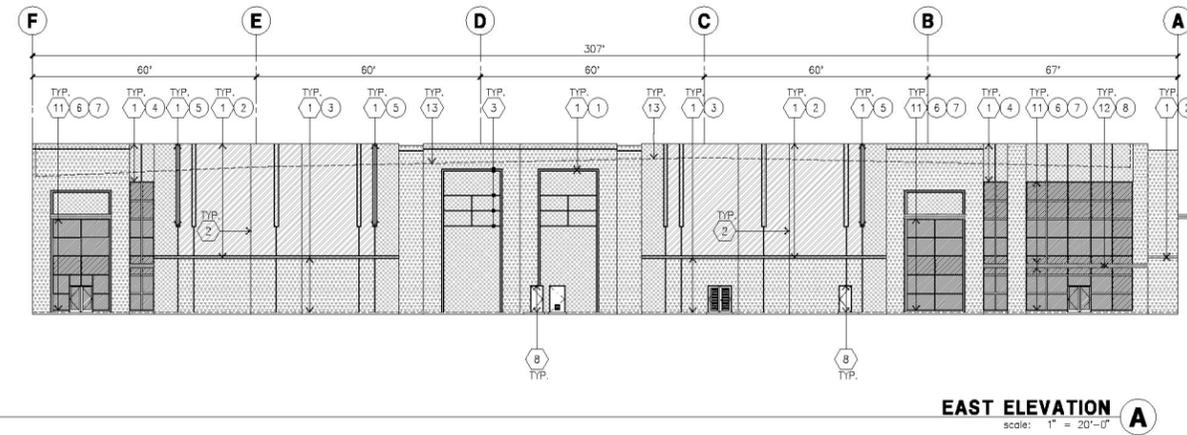
SOUTH ELEVATION
 scale: 1" = 20'-0"



Source(s): HPA (04-08-2024)

Figure 3-5





KEYNOTES - ELEVATIONS

- 1 CONCRETE TILT-UP PANEL (PAINTED). FINISH GRADE VARIES. SEE "C" DRAWINGS. WATERPROOF ALL WALLS WHEN EXTERIOR GRADE IS HIGHER THAN FINISH FLOOR AND EXPOSED TO THE WEATHER. WATERPROOFING TO BE PROTECTED WITH PROTECTION BOARD AND A MIN. OF 6" OF GRAVEL. PROVIDE TRENCH DRAIN AT BOTTOM AND DAYLIGHT TO CURB OR TAKE TO STORM DRAIN.
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- 6 EXTERIOR METAL STEEL STAIR.
- 7 METAL LOUVER. PAINT TO MATCH BUILDING COLOR.
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- 9A EXTERIOR DOWNSPOUT WITH OVERFLOW SCUPPERS.
- 9B INTERIOR ROOF DRAIN & OVERFLOW SCUPPERS.
- 10 DOCK BUMPER.
- 11 ALUMINUM STOREFRONT FRAMING WITH TEMPERED GLAZING.
- 12 METAL TUBE STEEL CANOPY
- 13 ROOF LINE BEYOND

GENERAL NOTES - ELEVATIONS

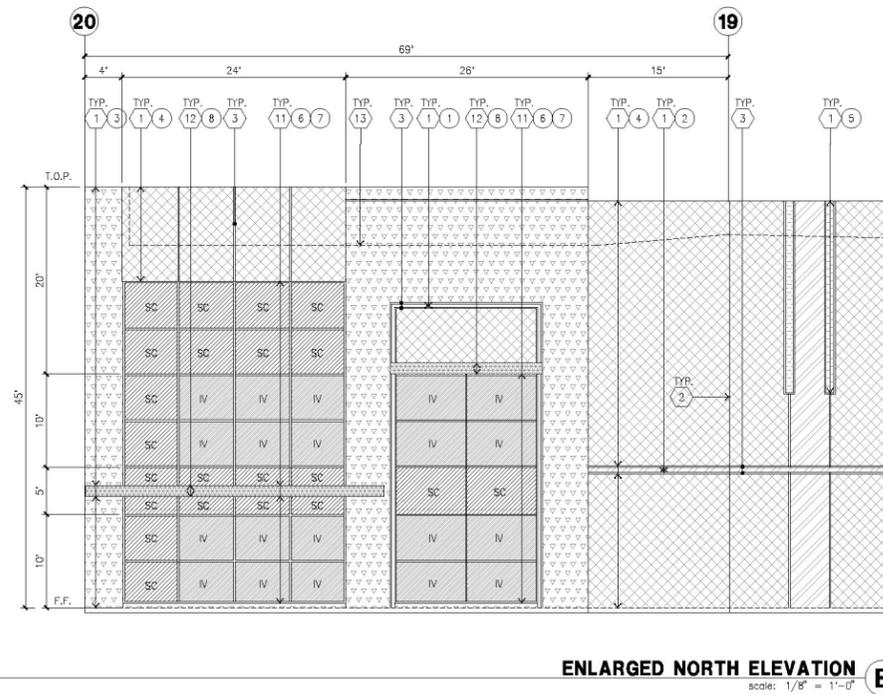
- A. ALL PAINT COLOR CHANGES TO OCCUR AT INSIDE CORNERS UNLESS NOTED OTHERWISE.
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- N. WHERE GLAZING CROSSES THE PANEL JOINT AND A SINGLE MULLION SHALL BE PROVIDED, DOUBLE MULLIONS ARE NOT AN ACCEPTABLE ALTERNATE.

ELEVATION COLOR LEGEND/SCHED.

| | |
|--|---|
| | 1 CONCRETE TILT-UP PANEL PAINT BRAND_PLD-9 PURE WHITE |
| | 2 CONCRETE TILT-UP PANEL PAINT BRAND_PLD-10 FIRST STAR |
| | 3 CONCRETE TILT-UP PANEL PAINT BRAND_PLD-8 SABLE |
| | 4 CONCRETE TILT-UP PANEL PAINT BRAND_PLD-7 LIQUORICE TINT |
| | 5 CONCRETE TILT-UP PANEL PAINT BRAND_PLD-5 NEW DARK GREEN |
| | 6 MULLIONS PAINT BRAND_CLEAR ANODIZED ALUMINUM |
| | 7 GLAZING COLOR GREEN GLAZING |
| | 8 METAL CANOPY PAINT BRAND_PLD-9 PURE WHITE |

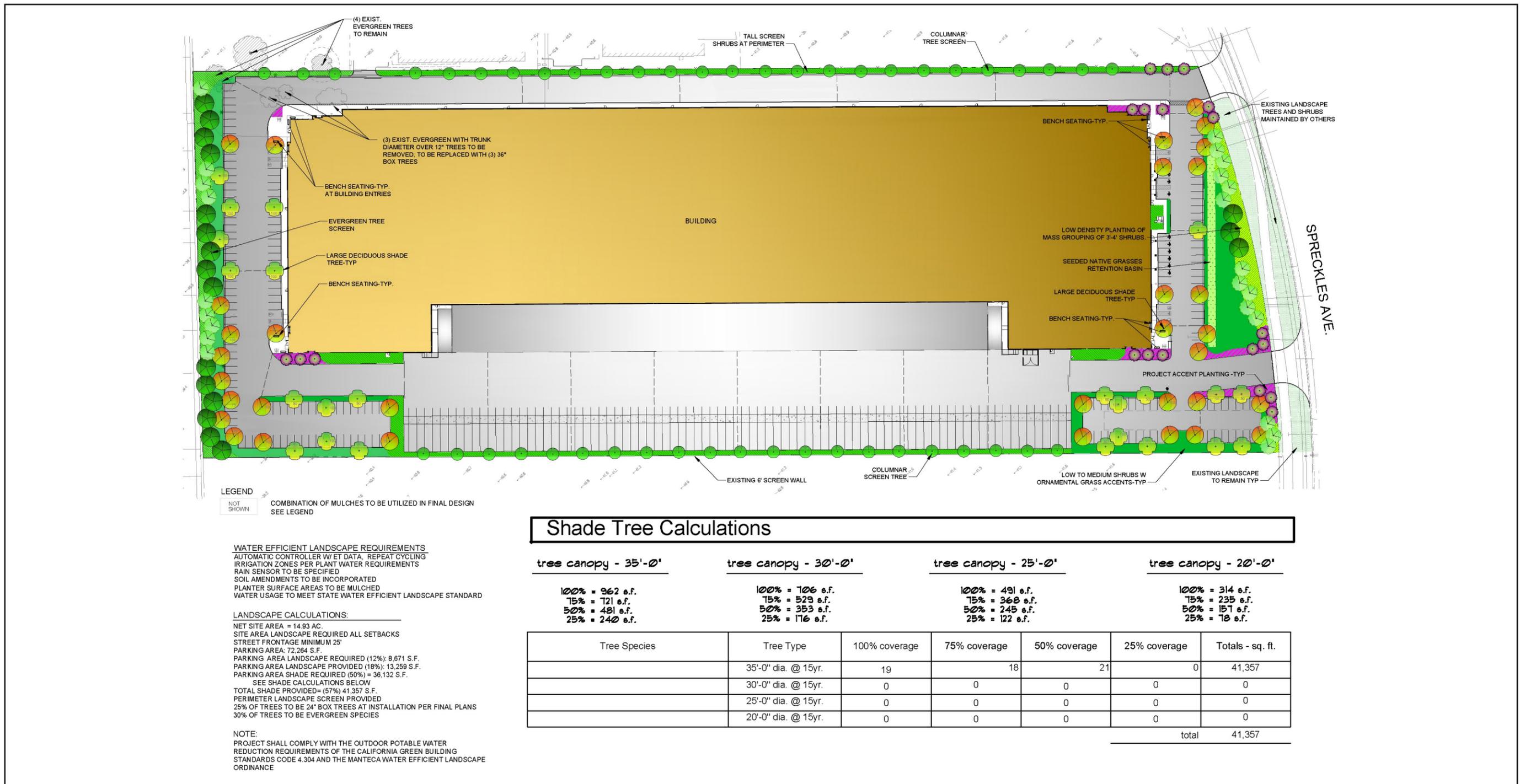
GLAZING LEGEND

- NOTE: ALL EXTERIOR AND INTERIOR GLAZING SHALL BE TEMPERED.
- INSULATED VISION GLASS
 - SPANDREL GLASS WITH CONCRETE BEHIND
 - SINGLE LITE VISION GLASS
 - INSULATED VISION GLASS
 1/4" ATLANTICA + 1/4" SUNGATE 400 CLEAR
 1" INSULATED GLASS UNIT WITH 1/2" AIRSPACE AND 1/4" LITES
 U: 0.27 SHGC: 0.35 VLT: 56%
 MINIMUM VT TO BE 0.42 PER 2016 CEC TABLE 140.3-B
 - VISION GLASS
 1/4" ATLANTICA
 - SPANDREL
 1/4" CLEAR WITH ATLANTIC WATERS OPACICOAT
 - MULLIONS : CLEAR ANODIZED MULLIONS.



Source(s): HPA (04-08-2024)

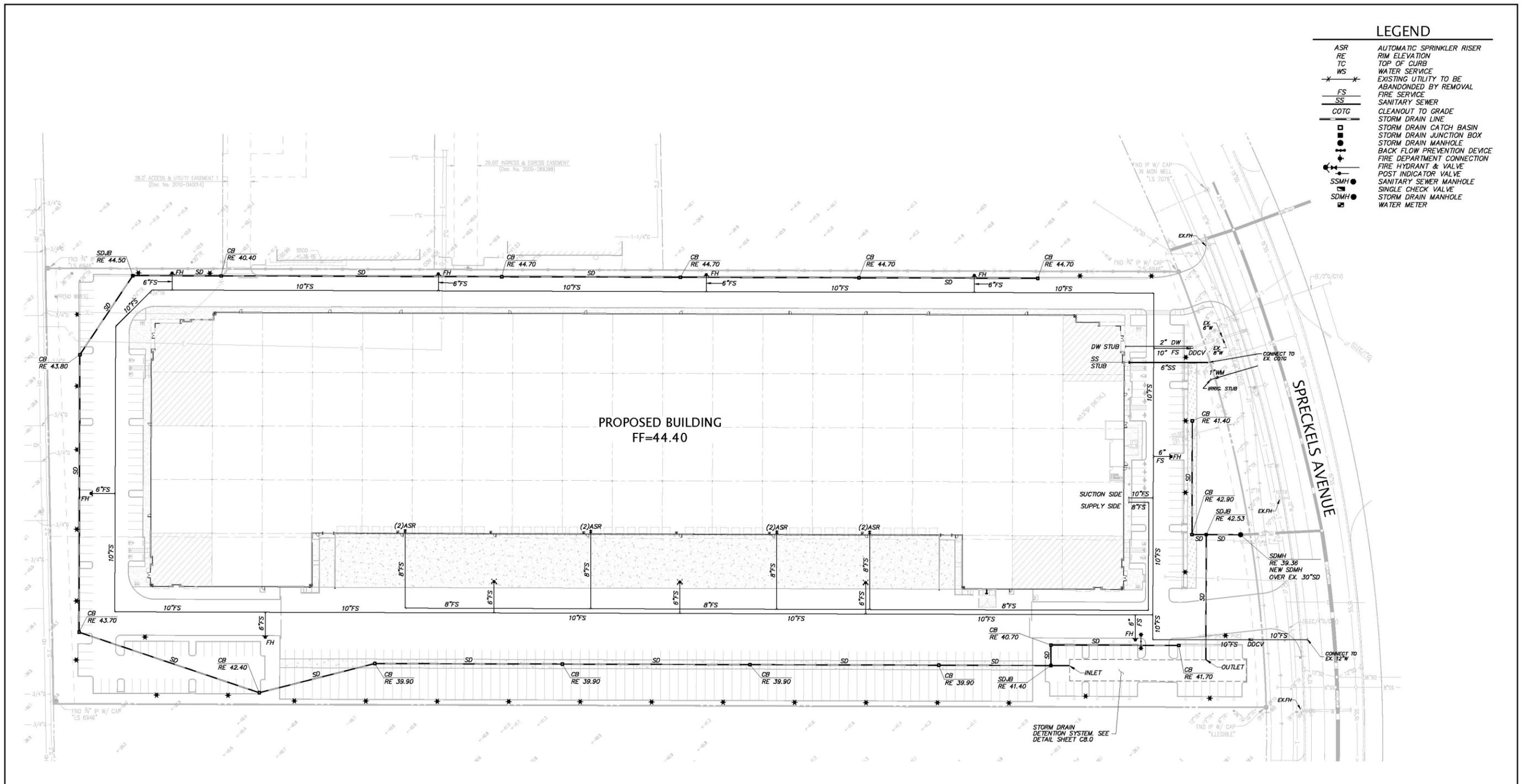
Figure 3-6



Source(s): HPA (04-08-2024)

Figure 3-7





Source(s): Kier+Wright (April 2024)

Figure 3-8



NOTES

1. THE STORM DRAIN FACILITIES SHALL COMPLY WITH THE 2015 MUNICIPAL REGIONAL PERMIT (MRP) OF THE SAN FRANCISCO REGIONAL WATER QUALITY CONTROL BOARD (RWQCB) AND THE ALAMEDA COUNTYWIDE CLEAN WATER PROGRAM C.3 GUIDELINES.
2. THE DEVELOPMENT PROJECT SHALL PROVIDE LOW IMPACT DEVELOPMENT (LID) SOURCE CONTROL MEASURES AS PER MRP PROVISION C.3.c FOR REGULATED PROJECTS (C.3.b) AND HYDROMODIFICATION MANAGEMENT AS PER MRP PROVISION C.3.g.
3. A NOTICE OF INTENT (NOI) AND STORM WATER POLLUTION PREVENTION PLAN (SWPPP) SHALL BE PREPARED AND SUBMITTED TO RWQCB FOR REVIEW AND APPROVAL.
4. THE PROJECT PLANS SHALL IDENTIFY BEST MANAGEMENT PRACTICES (BMPs) APPROPRIATE TO THE USES CONDUCTED ON-SITE TO LIMIT THE ENTRY OF POLLUTANTS INTO STORM WATER RUNOFF TO THE MAXIMUM EXTENT PRACTICABLE.
5. DESIGNS SHALL COMPLY WITH THE LATEST ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT'S HYDROLOGY AND HYDRAULICS CRITERIA SUMMARY.
6. THE ON-SITE STORM DRAIN AND STORM WATER TREATMENT SYSTEMS SHALL BE OWNED-AND-MAINTAINED BY THE PROPERTY OWNER.
7. ALL STORM DRAIN INLETS MUST BE LABELED "NO DUMPING - DRAINS TO BAY" USING THE CITY APPROVED SPECIFICATIONS.
8. THE PROJECT SHALL NOT BLOCK RUNOFF FROM, OR AUGMENT RUNOFF TO, ADJACENT PROPERTIES.

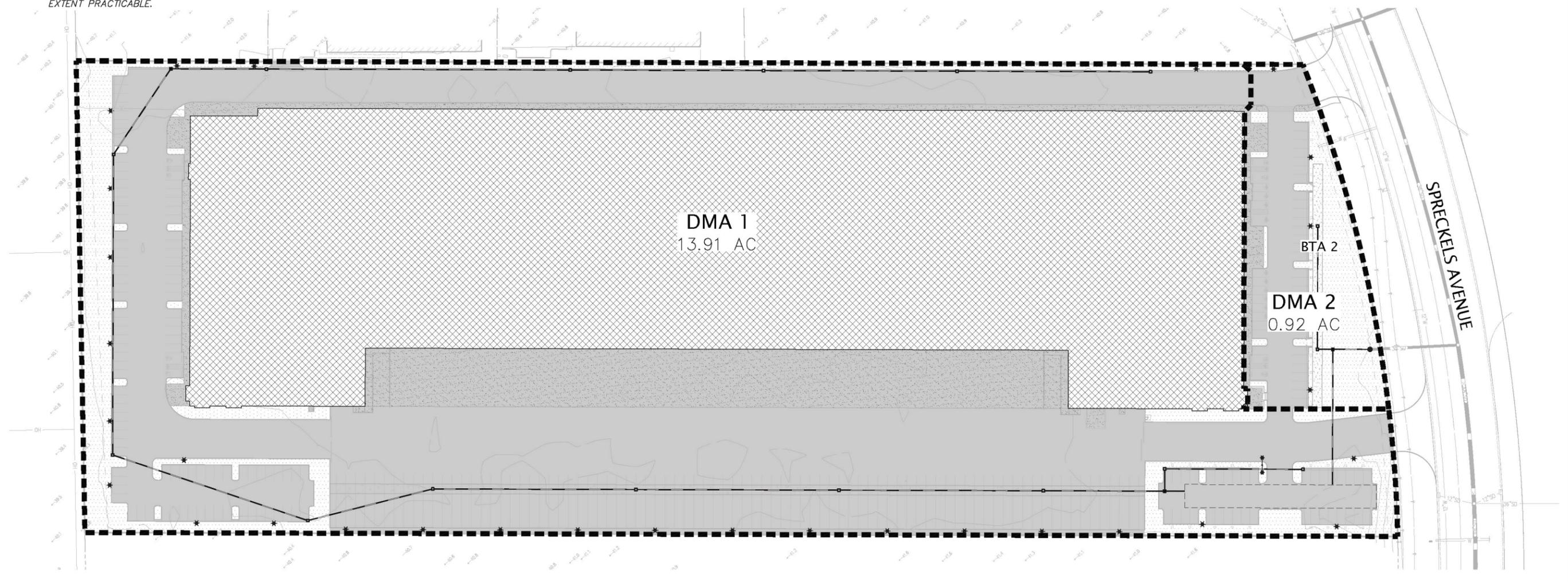
STORMWATER QUALITY SUMMARY TABLE

| Area No. | Area (SF) | Area (AC) | Landscape (SF) | Landscape (AC) | Imperv. (SF) | Imperv. (AC) | Stormwater Design Volume* (CF) | Bioretention Area Required* (SF) | Bioretention Area Provided (SF) | Treatment Type |
|--------------|----------------|--------------|----------------|----------------|----------------|--------------|--------------------------------|----------------------------------|---------------------------------|-----------------------|
| 1 | 606,068 | 13.91 | 42,751 | 0.98 | 563,317 | 12.93 | 28,788 | N/A | N/A | Infiltration Basin |
| 2 | 39,903 | 0.92 | 17,876 | 0.41 | 22,027 | 0.51 | 898 | 665 | 2,510 | Bio-Retention Planter |
| TOTAL | 645,971 | 14.83 | 60,627 | 1.39 | 585,344 | 13.44 | 29,686 | 665 | 2,510 | - |

* Required bioretention area was calculated by determining the Stormwater Design Volume (SDV) using the 'Post-Construction Standards Manual' dated 06-30-2015.

LEGEND

- TRIBUTARY AREA LIMITS
- LANDSCAPE AREA
- IMPERVIOUS ROOFTOP DRAINING TO BIO-SWALE
- IMPERVIOUS PAVEMENT DRAINING TO BIO-SWALE
- BIO-RETENTION TREATMENT AREA
- UNDERGROUND STORM DRAIN STORAGE SYSTEM
- DRAINAGE MANAGEMENT AREA #
- DRAINAGE MANAGEMENT AREA (ACRES)

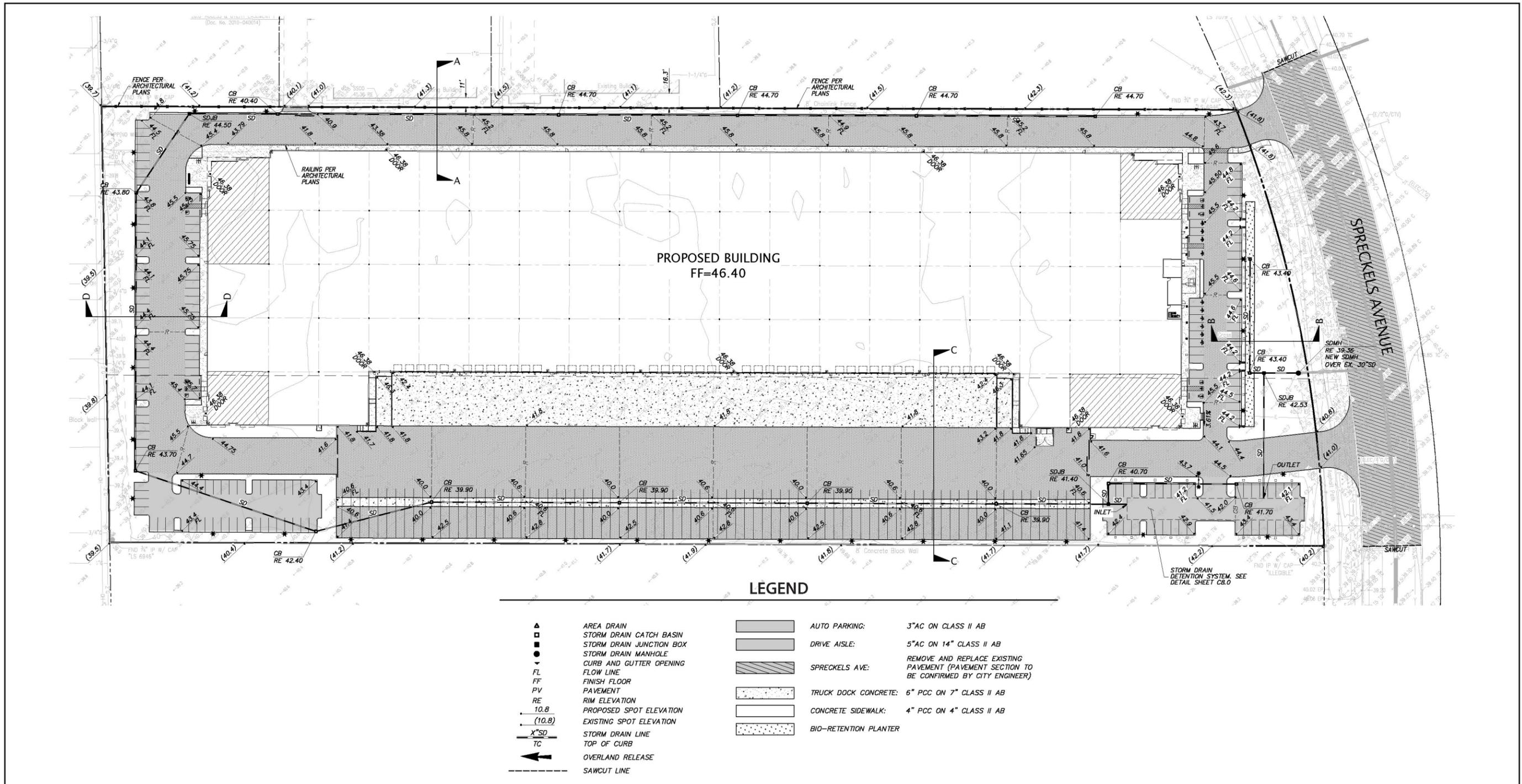


Source(s): Kier+Wright (07-09-2024)

Figure 3-9



Proposed Stormwater Quality Control Plan



Source(s): Kier+Wright (April 2024)

Figure 3-10



Proposed Grading Plan



4.0 ENVIRONMENTAL ANALYSIS

4.0.1 SUMMARY OF EIR SCOPE

In accordance with CEQA Guidelines Sections 15126-15126.4, this EIR Section includes analyses of potential direct, indirect, and cumulatively-considerable impacts that could result from the planning, construction, and/or operation of the Project.

In compliance with the procedural requirements of CEQA, the City of Manteca filed a NOP with the State Clearinghouse of the California Office of Planning and Research (State Clearinghouse) to indicate that an EIR would be prepared to evaluate the Project’s potential to impact the environment. The NOP was filed with the State Clearinghouse and distributed to potential Responsible Agencies, Trustee Agencies, and other interested parties on December 6, 2024, for a 30-day public review period. The NOP was distributed for public review to solicit responses that would help the City identify the full scope and range of potential environmental concerns associated with the Project so that these issues could be fully examined in this EIR. In addition, a publicly noticed EIR Scoping Meeting was held on December 12, 2024. The EIR Scoping Meeting provided public agencies, interested parties, and members of the general public an additional opportunity to learn about the Project, the CEQA review process, and how to submit comments on the scope and range of potential environmental concerns addressed in this EIR.

Taking all known information and public comments into consideration, 12 primary environmental subject areas are evaluated in this Section 4.0, as listed below. Each Subsection of this Section 4.0 evaluates several specific subject matters related to the general topic of the Subsection. The title of each Subsection is not limiting; therefore, refer to each Subsection for a full account of the subject matters addressed therein. Environmental issues and their corresponding Subsections are:

- | | |
|------------------------------|-------------------------------------|
| 4.1 Air Quality | 4.7 Hazards and Hazardous Materials |
| 4.2 Biological Resources | 4.8 Hydrology and Water Quality |
| 4.3 Cultural Resources | 4.9 Land Use and Planning |
| 4.4 Energy | 4.10 Noise |
| 4.5 Geology and Soils | 4.11 Transportation |
| 4.6 Greenhouse Gas Emissions | 4.12 Tribal Cultural Resources |

After consideration of all comments received by the City of Manteca on the scope of this EIR and documented in the City’s records, the City determined that the Project clearly had no potential to result in significant impacts under seven primary environmental subject areas: Aesthetics; Agriculture and Forestry Resources; Mineral Resources; Population and Housing; Public Services; Recreation; Utilities and Services System, and Wildfire. These eight subjects are addressed in Section 5.0, *Other CEQA Considerations*.



4.0.2 ORGANIZATION OF ENVIRONMENTAL ANALYSIS

To assist the reader with comparing information between environmental issues, each section is organized under the following headings:

- Existing Conditions
- Regulatory Framework
- Methodology
- Basis for Determining Significance
- Impact Analysis
- Cumulative Impact Analysis
- Significance of Impacts Before Mitigation
- Mitigation
- Significance of Impacts After Mitigation

In addition, Section S.0, *Executive Summary*, summarizes all impacts by environmental issue.

The thresholds used in this EIR are based on the thresholds of significance identified in CEQA Guidelines Appendix G, as most recently updated as of January 1, 2025. The thresholds are intended to assist the reader of this EIR in understanding how and why this EIR reaches a conclusion that an impact would or would not occur, and whether the impact would be significant or less than significant.

Serving as the CEQA Lead Agency for this EIR, the City of Manteca is responsible for determining whether an adverse environmental effect identified in this EIR should be classified as significant or less than significant. The standards of significance used in this EIR are based on the independent judgement of the City of Manteca, taking into consideration the City of Manteca General Plan; the City of Manteca Municipal Code and adopted City policies; the judgement of the technical experts that prepared this EIR's technical appendices; performance standards adopted, implemented, and monitored by regulatory agencies; and significance standards recommended by regulatory agencies.

As required by CEQA Guidelines Section 15126.2(a), Project-related effects on the environment are characterized in this EIR as direct, indirect, cumulatively-considerable, short-term, long-term, on-site, and/or off-site impacts. A summarized "impact statement" is provided in each Subsection following the analysis. Each Subsection also includes a discussion or listing of the applicable regulatory criteria (laws, policies, regulations) that the Project and its implementing actions are required to comply with (if any). If impacts are identified as significant after mandatory compliance with regulatory criteria, feasible mitigation measures are presented that would either avoid the impact or reduce the magnitude of the impact. For any impact identified as significant and unavoidable, the City of Manteca would be required to adopt a statement of overriding considerations pursuant to CEQA Guidelines Section 15093 in order to approve the Project despite its significant impact(s) to the environment. The statement of overriding considerations would list the specific economic, legal, social, technological, and other benefits of the Project, supported by substantial evidence in the Project's administrative record, that outweigh the unavoidable impacts.



4.0.3 TERMINOLOGY USED IN THIS EIR

The level of significance is identified for each impact in this EIR. Although the criteria for determining significance are different for each topic area, the environmental analysis applies a uniform classification of the impacts based on definitions consistent with CEQA and the CEQA Guidelines:

- **No Impact.** The Project would not adversely affect the environment.
- **Less than Significant Impact.** The Project would not cause any substantial adverse change in the environment.
- **Significant Impact.** A substantial or potentially substantial adverse change in the physical environment would occur and would exceed the threshold(s) of significance presented in this EIR, requiring the consideration of mitigation measures.

As described above, each Subsection also includes a discussion or listing of the applicable regulatory criteria (laws, policies, regulations, etc.) that the Project is required to comply with (if any). If impacts are identified as significant after mandatory compliance with regulatory criteria, feasible mitigation measures are presented that would either avoid the impact or reduce the magnitude of the impact. The following terms are used to describe the level of significance following the application of recommended mitigation measures:

- **Less than Significant with Mitigation Incorporated.** A substantial or potentially substantial adverse change in the physical environment would occur that would exceed the threshold(s) of significance presented in this EIR; however, the impact can be avoided or reduced to a less than significant level through the application of feasible mitigation measure(s).
- **Significant and Unavoidable Impact.** A substantial or potentially substantial adverse change in the physical environment would occur that would exceed the threshold(s) of significance presented in this EIR. Feasible and enforceable mitigation measure(s) that have a proportional nexus to the Project's impact are either not available or would not be fully effective in avoiding or reducing the impact to below a level of significance.

4.0.4 SCOPE OF CUMULATIVE EFFECTS ANALYSIS

CEQA requires that an EIR contain an assessment of the cumulative impacts that may be associated with a project. As noted in CEQA Guidelines Section 15130(a), "an EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable." "A cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in this EIR together with other projects creating related impacts" (CEQA Guidelines Section 15130(a)(1)). As defined in CEQA Guidelines Section 15355:



‘Cumulative Impacts’ refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.

(a) The individual effects may be changes resulting from a single project or a number of separate projects.

(b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probably future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

CEQA Guidelines Section 15130(b) describes two acceptable methods for identifying a study area for purposes of conducting a cumulative impact analysis. These two approaches include: “1) a list of past, present, and probable future projects producing related or cumulative impacts, including if necessary, those projects outside the control of the agency [‘the list of projects approach’], or 2) a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact [‘the summary of projections approach’].”

The cumulative impact analysis in this EIR uses Method 2. Method 2 uses projections in the long-range planning documents—such as City of Manteca’s General Plan, SJCOG’s RTP/SCS, and SJVAPCD 2022 Air Quality Management Plan (AQMP). Refer also to Section 4.0.5, *Related Projects*, for details on why the list of “related projects” approach was not used in the cumulative analysis.

Cumulative impact analyses for several topical sections are also based on the most appropriate geographic boundary for the respective impact. For example, cumulative air quality and greenhouse gas emission impacts are based on the San Joaquin Valley Air Basin, which includes all of Fresno, Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare counties, and portions of Kern County. The approach and cumulative development area for each respective topical section is further discussed below. Several potential cumulative impacts that encompass regional boundaries (e.g., air quality, greenhouse gases, transportation) have been addressed in the context of various regional plans and significance thresholds defined by local/regional agencies such as SJVAPCD. Following is a summary of the approach to cumulative impacts, which is further detailed in each topical environmental section.

- **4.1, Air Quality.** Air quality impacts are based on the regional boundaries of San Joaquin Valley Air Basin and the emissions standards of SJVAPCD.
- **4.2, Biological Resources.** The cumulative impact analysis for biological resources considers development of the Project in conjunction with other development projects in the



vicinity of the Project area, in addition to the boundaries of the SJMSCP unless modified based on the range of specific species being affected.

- **4.3, Cultural Resources.** Cultural resources impacts are site specific and generally do not combine to result in cumulative impacts. However, the cumulative impact analysis considers development of the Project in conjunction with other development projects in the immediate vicinity of the Project site.
- **4.4, Energy.** Energy impacts are based on the service areas of PG&E, and transportation fuel consumption of the state and region.
- **4.5, Geology and Soils.** Geologic and soils impacts are site specific and generally do not combine to result in cumulative impacts. However, the cumulative analysis considers the Project in conjunction with other development projects in the immediate vicinity of the Project site.
- **4.6, Greenhouse Gas (GHG) Emissions.** Potential GHG emission impacts are not bounded by geography but affect global climate change. The assessment of cumulative GHG impacts is based on the regional boundaries of San Joaquin Valley Air Basin and the emissions standards of SJVAPCD.
- **4.7, Hazards and Hazardous Materials.** The cumulative analysis highlights the regulatory requirements related to the storage, handling, and use of hazardous substances. Project impacts, however, are site specific and generally would not combine with impacts of other projects to result in cumulatively considerable impacts. The cumulative analysis considers the Project site and other development projects in the vicinity of the Project site.
- **4.8, Hydrology and Water Quality.** The cumulative impact analysis for hydrology and water quality analysis considers potential hydrology and water quality effects of the Project in conjunction with other development projects in the vicinity of the Project site as well as other projects located within the San Joaquin River Basin and the Eastern San Joaquin River Groundwater Subbasin.
- **4.9, Noise.** Cumulative traffic noise is assessed relative to the City's noise-level standards and considers development of the Project in conjunction with other development projects in the vicinity of the Project site. The study area (for construction and on-site operation) includes the Project site, nearby development, and the nearest sensitive receptors, while the study area and growth assumptions for off-site traffic-related operation are aligned with the traffic study area (Refer to *Technical Appendix K* for the Traffic Study).
- **4.10, Land Use and Planning.** Cumulative analysis for land use consistency considers the Project's impacts in conjunction with buildout of the City's General Plan and SJCOG's RTP/SCS.



- **4.11, Transportation.** The cumulative analysis considers development of the Project in conjunction with buildout of the City’s General Plan. The Project’s Traffic Study assumes an approximate growth rate of 2.8 percent to the existing peak hour turning movements to generate the 2025 plus near-term cumulative projects scenarios with and without the Project traffic.
- **4.12, Tribal Cultural Resources.** The cumulative analysis considers development of the Project in conjunction with other projects located in San Joaquin County that occur in the same tribal influence areas as the Project site.

4.0.5 RELATED PROJECTS

As stated, the cumulative analysis uses a “projections” approach to provide a conservative analysis of potential cumulative impacts. During the time of the NOP and through consultation with planning staff from the City of Manteca, the list of related projects was considered for the Project’s Traffic Analysis (*Technical Appendix K*). The Traffic Analysis, required by the City, also forms the basis of analysis for air quality, GHG emissions, energy, and noise impacts of the Project in this EIR. However, based on consultation with the City of Manteca Staff, it was determined that there are no known projects currently planned in the surrounding area. Therefore, the Traffic Analysis uses a conservative approach based on ambient growth and General Plan projections, described above.

4.1 AIR QUALITY

The following analysis is based in part on information obtained from a technical report entitled, *Spreckels Distribution Center Air Quality Impact Analysis*, which was prepared by Urban Crossroads, Inc., is dated February 20, 2025, and is included as *Technical Appendix B1* to this EIR (Urban Crossroads, 2025a). Additionally, Urban Crossroads prepared the Health Risk Assessment (HRA), which is dated February 20, 2025, and is appended to this EIR as *Technical Appendix B2* (Urban Crossroads, 2025b). Refer to Section 7.0, *References*, for a complete list of reference sources.

4.1.1 NOP/SCOPING MEETING COMMENTS

A NOP for the Project was released for public review on December 6, 2024, and an EIR Scoping meeting was held on December 12, 2024. Two comments related to air quality were received on December 12, 2024 from SJVAPCD and the State DOJ's Bureau of Environmental Justice. Refer to Table 1-1, *Summary of NOP Comments* in Section 1.0, *Introduction*, for a brief summary of the comments provided.

Additionally, during the MND's public review period from May 3, 2021 and June 1, 2021, one comment from the DOJ's Bureau of Environmental Justice was received. Comments received requested a detailed project description, additional technical analysis (e.g., air quality and greenhouse gas emissions modeling), demonstration of consistency with the City's General Plan, additional feasible mitigation measures, and consultation with responsible agencies. The Project has been revised and analysis has been updated to address concerns from the DOJ's Bureau of Environmental Justice. Results of the updated air quality analysis are presented in detail below.

4.1.2 EXISTING CONDITIONS

A. San Joaquin Valley Air Basin

The Project site is located in San Joaquin County, which is part of the SJVAB and is under the jurisdiction of the San Joaquin Valley Air Pollution Control District. The air quality assessment for the Project includes estimating emissions associated with short-term construction and long-term operation of the Project. A number of air quality modeling tools are available to assess the air quality impacts of projects. In addition, certain air districts, such as the SJVAPCD, have created guidelines and requirements to conduct air quality analyses. SJVAPCD's current guidelines, included in its California Environmental Quality Act and Federal Conformity Guidelines, were adhered to in the assessment of air quality impacts for the Project.

The SJVAB consists of eight counties: San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare, and the SJVAB portion of Kern. The SJVAB is bounded by the Sierra Nevada to the east, the Coast Ranges to the west, and the Tehachapi mountains to the south.



B. Climate and Meteorology

The SJVAB has an inland Mediterranean climate with warm, dry summers and relatively cool nights and cool winters with sparse rainfall. The most significant weather pattern within the San Joaquin Valley is the semi-permanent subtropical high-pressure cell, referred to as the “Pacific High.” During the summer, the Pacific High is positioned near the coast of northern California and redirects storms originating from the ocean to the north, resulting in essentially rainless summer months. During the winter, the Pacific High moves southerly allowing storms to pass through the San Joaquin Valley, resulting in most of the precipitation during December through April. During the summer, the predominant surface winds travel from the northwest and enter the Valley through the Carquinez strait to flow towards the Tehachapi Mountains. This northwesterly wind flow is interrupted in early fall by the emergence of southeasterly winds which become progressively more prevalent as winter approaches. Wind speeds are generally highest during the spring and lightest in fall and winter. The cool air flowing through the Carquinez strait is warmed as it travels southerly through the Valley. Once reaching the southern end of the Valley, the average high temperature during the summer is nearly 100 degrees Fahrenheit (°F) with relatively low humidity, causing large temperature variations throughout the day. Temperatures during the summer often drop into the upper 60s. In winter, the average high temperatures reach the mid-50s and the average low drops to the mid-30s. Snow and thunderstorms are infrequent.

Additionally, another high-pressure cell, known as the “Great Basin High,” develops east of the Sierra Nevada Mountain Range during winter. When this cell is weak, a layer of cool, damp air becomes trapped in the basin and extensive fog results. During inversions, a mass of warm dry air sits over cooler air near the ground, essentially trapping the air mass below and adversely affecting regional air quality. Surface-based inversions, while shallow and typically short-lived, are present most mornings. Elevated inversions, while less frequent than ground-based inversions, are typically longer lasting and create more severe air stagnation problems. The winter season characteristically has the poorest conditions for vertical mixing of the entire year.

C. Criteria Pollutants and Associated Health Effects

Criteria pollutants are pollutants that are regulated by federal and state laws through the development of human health based and/or environmentally based criteria for setting permissible levels. Criteria pollutants, their typical sources, and health effects are identified below:

- **Carbon Monoxide (CO)** is a colorless, odorless gas produced by the incomplete combustion of carbon-containing fuels, such as gasoline or wood. CO concentrations tend to be the highest in the winter during the morning, when little to no wind and surface-based inversions trap the pollutant at ground levels. CO is emitted directly from internal combustion engines; therefore, motor vehicles operating at slow speeds are the primary source of CO in the SJVAB. The highest ambient CO concentrations are generally found near congested transportation corridors and intersections. Individuals with a deficient blood supply to the heart are the most susceptible to the adverse effects of CO exposure. The effects observed include earlier onset of chest pain with exercise, and



electrocardiograph changes indicative of decreased oxygen supply to the heart. Inhaled CO has no direct toxic effect on the lungs, but exerts its effect on tissues by interfering with oxygen transport and competing with oxygen to combine with hemoglobin present in the blood to form carboxyhemoglobin (COHb). Therefore, conditions with an increased demand for oxygen supply can be adversely affected by exposure to CO. Individuals most at risk to the effects of CO include fetuses, patients with diseases involving heart and blood vessels, and patients with chronic oxygen deficiency.

- **Sulfur Dioxide (SO₂)** is a colorless gas or liquid. SO₂ enters the atmosphere as a pollutant mainly as a result of burning high sulfur-content fuel oils and coal and from chemical processes occurring at chemical plants and refineries. When SO₂ oxidizes in the atmosphere, it forms sulfates (SO₄). Collectively, these pollutants are referred to as sulfur oxides (SO_x). SO₂ is a respiratory irritant to people afflicted with asthma. After acute exposure to SO₂, asthma sufferers can experience breathing difficulties, including airway constriction and reduction in breathing capacity. Although healthy individuals do not exhibit similar acute breathing difficulties even after exposure to higher concentrations to SO₂, animal studies suggest that very high levels of exposure can cause lung edema (fluid accumulation), lung tissue damage, and sloughing off of cells lining the respiratory tract.
- **Nitrogen Oxides (NO_x)** consist of nitric oxide (NO), nitrogen dioxide (NO₂) and nitrous oxide (N₂O) and are formed when nitrogen (N₂) combines with oxygen (O₂). Their lifespan in the atmosphere ranges from one to seven days for nitric oxide and nitrogen dioxide, to 170 years for nitrous oxide. Nitrogen oxides are typically created during combustion processes and are major contributors to smog formation and acid deposition. NO₂ is a criteria air pollutant and may result in numerous adverse health effects; it absorbs blue light, resulting in a brownish-red cast to the atmosphere, and reduced visibility. Of the nitrogen oxide compounds, NO₂ is the most abundant in the atmosphere. As ambient concentrations of NO₂ are related to traffic density, commuters in heavy traffic may be exposed to higher concentrations of NO₂ than those indicated by regional monitoring stations. Population-based studies suggest that an increase in acute respiratory illness, including infections and respiratory symptoms in children (not infants), is associated with long-term exposure to NO₂ at levels higher than ambient levels in Southern California. Short-term exposure to NO₂ can result in resistance to air flow and airway contraction in healthy subjects. Exposure to NO₂ can result decreases in lung functions in individuals with asthma or chronic obstructive pulmonary diseases (e.g., chronic bronchitis, emphysema), as these individuals are more susceptible to the effects of NO_x than healthy individuals.
- **Ozone (O₃)** is a highly reactive and unstable gas that is formed when VOCs and NO_x, both byproducts of internal combustion engine exhaust, undergo slow photochemical reactions in the presence of sunlight. Ozone concentrations are generally highest during the summer months when direct sunlight, warm temperatures, and light wind conditions are favorable to the formation of this pollutant. Short-term exposure (lasting for a few hours) to ozone at levels typically observed in Southern California can result in breathing pattern changes,



reduction of breathing capacity, increased susceptibility to infections, inflammation of the lung tissue, and some immunological changes. Individuals exercising outdoors, children, and people with preexisting lung disease, such as asthma and chronic pulmonary lung disease, are considered to be the most susceptible sub-groups for ozone effects. An increased risk for asthma has been found in children who participate in multiple sports and reside in communities with high ozone levels.

- **Particulate Matter less than 10 microns (PM₁₀)** is an air pollutant consisting of tiny solid or liquid particles of soot, dust, smoke, fumes, and aerosols. PM₁₀ also causes reduced visibility. The size of the particles (10 microns or smaller, about 0.0004 inches or less) allows them to enter the lungs where they may be deposited, resulting in the adverse health effects discussed below for PM_{2.5}.
- **Particulate Matter less than 2.5 microns (PM_{2.5})** is a similar air pollutant to PM₁₀ consisting of tiny solid or liquid particles which are 2.5 microns or smaller (which is often referred to as fine particles). The chemical composition of fine particles is highly dependent on location, time of year, and weather conditions. Elevated ambient concentrations of fine particulate matter (PM₁₀ and PM_{2.5}) have been correlated with an increase in respiratory infections, number, and severity of asthma attacks, and increased hospital admissions. Some studies have reported an association between long-term exposure to air pollution dominated by fine particles and increased mortality, reduction in lifespan, and an increased mortality from lung cancer. Daily fluctuations in PM_{2.5} concentration levels have also been related to hospital admissions for acute respiratory conditions in children, to a decrease in respiratory lung volumes in normal children, and to increased medication use in children and adults with asthma. Recent studies show lung function growth in children is reduced with long-term exposure to particulate matter. The elderly, people with pre-existing respiratory or cardiovascular disease, and children, appear to be more susceptible to the effects of high levels of PM₁₀ and PM_{2.5}.
- **Volatile Organic Compounds (VOCs) and Reactive Organic Gasses (ROGs)** are hydrocarbon compounds (any compound containing various combinations of hydrogen and carbon atoms excluding CO, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate) that exist in the ambient air. Both VOCs and ROGs are precursors to ozone and contribute to the formation of smog through atmospheric photochemical reactions. VOCs and ROGs have different levels of reactivity; that is, they do not react at the same speed or do not form ozone to the same extent when exposed to photochemical processes. VOCs often have an odor, including such common VOCs as gasoline, alcohol, and the solvents used in paints. Breathing VOCs can irritate the eye, nose, and throat, which can cause difficulty breathing. In addition, studies have shown that some VOCs can cause damage to the central nervous system.
- **Lead (Pb)** is a heavy metal that is highly persistent in the environment. Historically, the primary source of lead in the air was emissions from vehicles burning leaded gasoline.



Currently, emissions of lead are largely limited to stationary sources such as lead smelters, battery manufacturers, and waste incinerators. Exposure to low levels of lead can adversely affect the development and function of the central nervous system, leading to learning disorders, distractibility, inability to follow simple commands, and lower intelligence quotient in children. In adults, increased lead levels are associated with increased blood pressure. Lead poisoning can cause anemia, lethargy, seizures, and death. Fetuses, infants, and children are more sensitive than others to the adverse effects of lead exposure.

D. Existing Air Quality

Existing air quality is measured at established SJVAPCD air quality monitoring stations. Monitored air quality is evaluated in the context of ambient air quality standards. These standards are the levels of air quality that are considered safe, with an adequate margin of safety, to protect public health and welfare. National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) currently in effect are shown in Table 4.1-1, *Ambient Air Quality Standards*.

Table 4.1-1 Ambient Air Quality Standards

| Pollutant | Averaging Time | California Standards | | National Standards | | |
|--|------------------------------|---------------------------------------|--|---|--------------------------------|---|
| | | Concentration | Method | Primary | Secondary | Method |
| Ozone (O ₃) | 1 Hour | 0.09 ppm (180 µg/m ³) | Ultraviolet Photometry | --- | Same as Primary Standard | Ultraviolet Photometry |
| | 8 Hour | 0.070 ppm (137 µg/m ³) | | 0.070 ppm (137 µg/m ³) | | |
| Respirable Particulate Matter (PM ₁₀) | 24 Hour | 50 µg/m ³ | Gravimetric or Beta Attenuation | 150 µg/m ³ | Same as Primary Standard | Inertial Separation and Gravimetric Analysis |
| | Annual Arithmetic Mean | 20 µg/m ³ | | --- | | |
| Fine Particulate Matter (PM _{2.5}) | 24 Hour | --- | --- | 35 µg/m ³ | Same as Primary Standard | Inertial Separation and Gravimetric Analysis |
| | Annual Arithmetic Mean | 12 µg/m ³ | Gravimetric or Beta Attenuation | 12.0 µg/m ³ | 15 µg/m ³ | |
| Carbon Monoxide (CO) | 1 Hour | 20 ppm (23 mg/ m ³) | Non-Dispersive Infrared Photometry (NDIR) | 35 ppm (40 mg/ m ³) | --- | Non-Dispersive Infrared Photometry (NDIR) |
| | 8 Hour | 9.0 ppm (10 mg/ m ³) | | 9 ppm (10 mg/ m ³) | --- | |
| | 8 Hour (Lake Tahoe) | 6 ppm (7 mg/ m ³) | | --- | --- | |



| Pollutant | Averaging Time | California Standards | | National Standards | | |
|-------------------------------------|-------------------------|---|--|---|---------------------------------------|---|
| | | Concentration | Method | Primary | Secondary | Method |
| Nitrogen Dioxide (NO ₂) | 1 Hour | 0.18 ppm (339 µg/ m ³) | Gas Phase Chemiluminescence | 110 ppb (188 µg/ m ³) | --- | Gas Phase Chemiluminescence |
| | Annual Arithmetic Mean | 0.030 ppm (57 µg/ m ³) | | 0.053 ppm (100 µg/ m ³) | Same as Primary Standard | |
| Sulfur Dioxide (SO ₂) | 1 Hour | 0.25 ppm (665 µg/ m ³) | Ultraviolet Fluorescence | 75 ppb (196 µg/ m ³) | --- | Ultraviolet Fluorescence; Spectrophotometry (Pararosaniline Method) |
| | 3 Hour | --- | | --- | 0.5 ppm (1300 µg/ m ³) | |
| | 24 Hour | 0.04 ppm (105 µg/ m ³) | | 0.14 ppm (for certain areas) | --- | |
| | Annual Arithmetic Mean | --- | | 0.030 ppm (for certain areas) | --- | |
| Lead (Pb) | 30 Day Average | 1.5 µg/ m ³ | Atomic Absorption | --- | --- | High Volume Sampler and Atomic Absorption |
| | Calendar Quarter | --- | | 1.5 µg/ m ³ (for certain areas) | Same as Primary Standard | |
| | Rolling 3-Month Average | --- | | 0.15 1.5 µg/ m ³ | | |
| Visibility Reducing Particles | 8 Hour | See Footnote 14 in <i>Technical Appendix B1</i> . | Beta Attenuation and Transmittance through filter tape | No National Standards | | |
| Sulfates | 24 Hour | 25 µg/ m ³ | Ion Chromatography | | | |
| Hydrogen Sulfide | 1 Hour | 0.03 ppm (42 µg/ m ³) | Ultraviolet Fluorescence | | | |
| Vinyl Chloride | 24 Hour | 0.01 ppm (26 µg/ m ³) | Gas Chromatography | | | |

See footnotes in Table 2-2, *Technical Appendix B1*.

E. Regional Air Quality

Air pollution contributes to a wide variety of adverse health effects. The United States Environmental Protection Agency (EPA) has established NAAQS for seven of the most common air pollutants: CO, Pb, O₃, PM₁₀, PM_{2.5}, NO₂, and SO₂ which are known as criteria pollutants. The SJVAPCD monitors levels of various criteria pollutants at 38 permanent monitoring stations and 5 Photochemical Assessment Monitoring Stations (PAMS) throughout the air district. On January 25, 2024, CARB adopted the proposed 2023 amendments to the state and national area designations. The attainment status for criteria pollutants within the SJVAB is summarized in Table 4.1-2, *Attainment Status of Criteria Pollutants in the SJVAB*.

Table 4.1-2 Attainment Status of Criteria Pollutants in the SJVAB

| Criteria Pollutant | State Designation | Federal Designation |
|----------------------------------|-------------------|---------------------------|
| O ₃ – 1-hour standard | Nonattainment | -- |
| O ₃ – 8-hour standard | Nonattainment | Nonattainment |
| PM ₁₀ | Nonattainment | Attainment |
| PM _{2.5} | Nonattainment | Nonattainment |
| CO | Attainment | Unclassifiable/Attainment |
| NO ₂ | Attainment | Unclassifiable/Attainment |
| SO ₂ | Attainment | Unclassifiable/Attainment |
| Pb | Attainment | Unclassifiable/Attainment |
| Sulfates | Attainment | -- |
| Hydrogen Sulfide | Unclassified | -- |
| Vinyl Chloride | Unclassified | -- |
| Visibility Reducing Particulates | Unclassified | -- |

“—” The national 1-hour O₃ standard was revoked effective June 15, 2005.

F. Local Air Quality

The most recent three (3) years of data available is shown in Table 4.1-3, Project Area Air Quality Monitoring Summary 2021-2023 and identifies the number of days ambient air quality standards were exceeded for the study area, which is considered to be representative of the local air quality at the Project site. Data for O₃, NO₂, PM₁₀, and PM_{2.5} was obtained using CARB iADAM: Air Quality and Data Statistics and the Air Quality and Meteorological Information System (AQMIS). Data for SO₂ has been omitted as attainment is regularly met and few monitoring stations measure SO₂ concentrations.

Data from the Manteca-530 Fishback Road monitoring station, located approximately 2.5 miles west of the Project site, was utilized for PM₁₀ and PM_{2.5}. Because data for O₃ and NO₂ is not available from



the Manteca monitoring station, data from the Stockton-University Park monitoring station, located approximately 12.5 miles northwest of the Project site, was utilized for these pollutants.

Table 4.1-3 Project Area Air Quality Monitoring Summary 2021-2023

| Pollutant | Standard | Year | | |
|--|-------------------------|-------|-------|-------|
| | | 2021 | 2022 | 2023 |
| O ₃ | | | | |
| Maximum Federal 1-Hour Concentration (ppm) | | 0.040 | 0.141 | 0.086 |
| Maximum Federal 8-Hour Concentration (ppm) | | 0.036 | 0.113 | 0.068 |
| Number of Days Exceeding Federal 1-Hour Standard | > 0.09 ppm | 0 | 1 | 0 |
| Number of Days Exceeding State 1-Hour Standard | | 0 | 1 | 0 |
| Number of Days Exceeding Federal 8-Hour Standard | > 0.070 ppm | 0 | 1 | 0 |
| Number of Days Exceeding State 8-Hour Standard | > 0.075 ppm | 0 | 1 | 0 |
| NO ₂ | | | | |
| Maximum Federal 1-Hour Concentration | > 0.100 ppm | 0.034 | 0.044 | 0.045 |
| Maximum State 1-Hour Concentration | > 0.180 ppm | 0.034 | 0.044 | 0.045 |
| Annual Federal Standard Design Value | | 0.034 | 0.039 | 0.039 |
| Annual State Standard Design Value | | 0.030 | 0.040 | 0.050 |
| Number of Days Exceeding Federal 1-Hour Standard | > 0.100 ppm | 0 | 0 | 0 |
| Number of Days Exceeding State 1-Hour Standard | > 0.18 ppm | 0 | 0 | 0 |
| PM ₁₀ | | | | |
| Maximum Federal 24-Hour Concentration (µg/m ³) | > 150 µg/m ³ | 201.9 | 129.7 | 191.9 |
| Annual Federal Arithmetic Mean (µg/m ³) | | 33.3 | 29.2 | 25.8 |
| Number of Days Exceeding Federal 24-Hour Standard | > 150 µg/m ³ | 2 | 0 | 1 |
| PM _{2.5} | | | | |
| Maximum Federal 24-Hour Concentration (µg/m ³) | > 35 µg/m ³ | 58.7 | 39.0 | 38.0 |
| Maximum State 24-Hour Concentration (µg/m ³) | | 58.7 | 37.6 | 38.0 |
| Annual Federal Arithmetic Mean (µg/m ³) | >12 µg/m ³ | 11.7 | 9.0 | 7.8 |
| Annual State Arithmetic Mean (µg/m ³) | >12 µg/m ³ | -- | -- | 7.9 |
| Number of Samples Exceeding Federal 24-Hour Standard | > 35 µg/m ³ | 11 | 3 | 3 |

ppm = Parts Per Million
 µg/m³ – microgram per cubic meter
 -- = data not available

4.1.3 REGULATORY FRAMEWORK

A. Federal

1. *Federal Clean Air Act*

The Clean Air Act (CAA; 42 U.S.C. § 7401 et seq.) is the comprehensive federal law that regulates air emissions from stationary and mobile sources. Among other things, this law authorizes the EPA to



establish NAAQS to protect public health and public welfare and to regulate emissions of hazardous air pollutants, which include O₃, CO, NO_x, SO₂, PM₁₀, PM_{2.5}, and Pb.

One of the goals of the CAA was to set and achieve NAAQS in every state by 1975 in order to address the public health and welfare risks posed by certain widespread air pollutants. The setting of these pollutant standards was coupled with directing the states to develop state implementation plans (SIPs), applicable to appropriate industrial sources in the state, in order to achieve these standards. The CAA was amended in 1977 and 1990 primarily to set new goals (dates) for achieving attainment of NAAQS since many areas of the country had failed to meet the deadlines.

Section 112 of the Clean Air Act addresses emissions of hazardous air pollutants. Prior to 1990, CAA established a risk-based program under which only a few standards were developed. The 1990 Clean Air Act Amendments revised Section 112 to first require issuance of technology-based standards for major sources and certain area sources. "Major sources" are defined as a stationary source or group of stationary sources that emit or have the potential to emit 10 tons per year or more of a hazardous air pollutant or 25 tons per year or more of a combination of hazardous air pollutants. An "area source" is any stationary source that is not a major source.

For major sources, Section 112 requires that EPA establish emission standards that require the maximum degree of reduction in emissions of hazardous air pollutants. These emission standards are commonly referred to as "maximum achievable control technology" or "MACT" standards. Eight years after the technology-based MACT standards are issued for a source category, EPA is required to review those standards to determine whether any residual risk exists for that source category and, if necessary, revise the standards to address such risk. (EPA, 2024a)

2. *National Emissions Standards for Hazardous Air Pollutants (NESHAPS) Program*

National Emission Standards for Hazardous Air Pollutants (NESHAP) are stationary source standards for hazardous air pollutants. Hazardous air pollutants (HAPs) are those pollutants that are known or suspected to cause cancer or other serious health effects, such as reproductive effects or birth defects, or adverse environmental effects. The EPA develops national enforcement initiatives that focus on significant environmental risks and noncompliance patterns. For Fiscal Years 2014 to 2016, the Cutting Hazardous Air Pollutants National Initiatives Strategy focuses on categories of sources that emit HAPs.

Sources subject to NESHAPs are required to perform an initial performance test to demonstrate compliance. To demonstrate continuous compliance, sources are generally required to monitor control device operating parameters which are established during the initial performance test. Sources may also be required to install and operate continuous emission monitors to demonstrate compliance. Consistent with EPA's Clean Air Act Stationary Source Compliance Monitoring Strategy, NESHAP sources that meet the Clean Air Act definition of "major source" generally receive a full compliance evaluation by the state or regional office at least once every two years. (EPA, 2024b)

B. State**1. *California Air Resources Board***

The California Air Resources Board (CARB), which became part of the CalEPA in 1991, is responsible for ensuring implementation of the California Clean Air Act (AB 2595), responding to the federal CAA, and for regulating emissions from consumer products and motor vehicles. AB 2595 mandates achievement of the maximum degree of emissions reductions possible from vehicular and other mobile sources in order to attain the state ambient air quality standards by the earliest practical date. CARB established the CAAQS for all pollutants for which the federal government has NAAQS and, in addition, establishes standards for SO₄, visibility, hydrogen sulfide (H₂S), and vinyl chloride (C₂H₃Cl). However, at this time, H₂S and C₂H₃Cl are not measured at any monitoring stations in the SJVAB because they are not considered to be a regional air quality problem. Generally, the CAAQS are more stringent than the NAAQS.

Local air quality management districts, such as the San Joaquin Valley Air Pollution Control District , regulate air emissions from stationary sources such as commercial and industrial facilities. All air pollution control districts have been formally designated as attainment or non-attainment for each CAAQS. Serious non-attainment areas are required to prepare AQMP that include specified emission reduction strategies in an effort to meet clean air goals. These plans are required to include:

- Application of Best Available Retrofit Control Technology to existing sources;
- Developing control programs for area sources (e.g., architectural coatings and solvents) and indirect sources (e.g. motor vehicle use generated by residential and commercial development);
- A District permitting system designed to allow no net increase in emissions from any new or modified permitted sources of emissions;
- Implementing reasonably available transportation control measures and assuring a substantial reduction in growth rate of vehicle trips and miles traveled;
- Significant use of low emissions vehicles by fleet operators;
- Sufficient control strategies to achieve a 5% or more annual reduction in emissions or 15% or more in a period of three years for ROG_s, NO_x, CO and PM₁₀. However, air basins may use alternative emission reduction strategy that achieves a reduction of less than 5% per year under certain circumstances.

CARB has adopted several iterations of regulations for diesel trucks that are aimed at reducing Diesel Particulate Matter (DPM). More specifically, CARB Drayage Truck Regulation, CARB statewide On-road Truck and Bus Regulation require accelerated implementation of “clean trucks” into the statewide



truck fleet. In other words, older more polluting trucks would be replaced with newer, cleaner trucks as a function of these regulatory requirements.

Moreover, the average statewide DPM emissions for Heavy Duty Trucks (HDT), in terms of grams of DPM generated per mile traveled, would dramatically be reduced due to the aforementioned regulatory requirements. Diesel emissions identified in this analysis would therefore overstate future DPM emissions since not all the regulatory requirements are reflected in the modeling.

2. *Air Quality Management Planning*

CARB and local air districts throughout the State are responsible for developing clean air plans to demonstrate how and when California will attain air quality standards established under both the CAA and CCAA. For the areas within California that have not attained air quality standards, CARB works with local air districts to develop and implement State and local attainment plans. In general, attainment plans contain a discussion of ambient air quality data and trends; a baseline emissions inventory; future year projections of emissions, which account for growth projections and already adopted control measures; a comprehensive control strategy of additional measures needed to reach attainment; an attainment demonstration, which generally involves complex modeling; and contingency measures. Plans may also include interim milestones for progress toward attainment. Air quality planning activities undertaken by CARB also include the development of policies, guidance, and regulations related to State and federal ambient air quality standards; coordination with local agencies on transportation plans and strategies; and providing assistance to local districts and transportation agencies. (CARB, n.d.)

3. *Title 24 Energy Efficiency Standards and California Green Building Standards*

California Code of Regulations (CCR) Title 24 Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings, was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. CCR, Title 24, Part 11: California Green Building Standards Code (CALGreen) is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect on August 1, 2009, and is administered by the California Building Standards Commission.

CALGreen is updated on a regular basis, with the most recent approved update consisting of the 2022 California Green Building Code Standards that went into effect on January 1, 2023. The CEC anticipates that the 2022 energy code will provide \$1.5 billion in consumer benefits and reduce GHG emissions by 10 million metric tons. The Project would be required to comply with the applicable standards in place at the time plan check submittals are made.

These are discussed in Title 24 Energy Efficiency Standards and California Green Building Standards of the *Technical Appendix B1* of this EIR.



4. *Truck & Bus Regulation*

The Truck and Bus Regulation is necessary to meet federal attainment standards. This regulation requires heavy-duty diesel vehicles that operate in California to reduce toxic air contaminants (TACs) emissions from their exhaust. Diesel exhaust is responsible for 70% of the cancer risk from airborne toxics. Therefore, by January 1, 2023, nearly all trucks and buses will be required to have 2010 or newer model year engines to reduce particulate matter and NOx emissions. To help ensure that the benefits of this regulation are achieved, starting in 2020, only vehicles compliant with this regulation will be registered by the California Department of Motor Vehicles (DMV).

As heavy-duty on-road vehicles are such a significant source of pollutants, the Truck and Bus Regulation is one of the most far-reaching and important tools to reduce smog-forming and toxic emissions and protect public health in disadvantaged communities. It is a key element in CARB's Diesel Risk reduction plan and the State Implementation Plan, both of which are designed to provide clean air for Californians by helping to meet state and federal health-protective standards. Starting January 1, 2020, Senate Bill 1 only allows vehicles compliant with this regulation to be registered by the California DMV. (CARB, n.d.)

5. *Advanced Clean Truck Regulation*

In June 2020, CARB adopted a new Rule requiring truck manufacturers to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024. By 2045, every new truck sold in California will be required to be zero-emission. Manufacturers who certify Class 2b-8 chassis or complete vehicles with combustion engines would be required to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. By 2035, zero-emission truck/chassis sales would need to be 55% of Class 2b – 3 truck sales, 75% of Class 4 – 8 straight truck sales, and 40% of truck tractor sales. CARB reports that as of 2020, most commercially-available models of zero-emission vans, trucks and buses operate less than 100 miles per day. Commercial availability of electric-powered long-haul trucks is very limited. However, as technology advances over the next 20 years, zero-emission trucks will become suitable for more applications, and several truck manufacturers have announced plans to introduce market ready zero-emission trucks in the future. (CARB, n.d.)

6. *Senate Bill 535 – Disadvantaged Communities*

Senate Bill 535 (“SB 535”; De León, Chapter 830, 2012) recognizes the potential vulnerability of low-income and disadvantaged communities to poor air quality. Disadvantaged communities in California are specifically targeted for investment of proceeds from the State’s cap-and-trade program. These investments are aimed at improving public health, quality of life, and economic opportunity in California’s most burdened communities while at the same time reducing pollution that causes climate change. Authorized by the California Global Warming Solutions Act of 2006 (AB 32), the State’s cap-and-trade program is one of several strategies that California uses to reduce greenhouse gas emissions that cause climate change. The funds must be used for programs that further reduce emissions of greenhouse gases. SB 535 requires that 25 percent of the proceeds from the Greenhouse Gas Reduction



Fund go to projects that provide a benefit to disadvantaged communities. The California Environmental Protection Agency (CalEPA) is charged with the duty to identify disadvantaged communities. CalEPA bases its identification of these communities on geographic, socioeconomic, public health, and environmental hazard criteria (Health and Safety Code, section 39711, subsection (a)). In this capacity, CalEPA currently defines a disadvantaged community, from an environmental hazard and socioeconomic standpoint, as a community that scores within the top 25 percent of the census tracts, as analyzed by the California Communities Environmental Health Screening Tool Version 3.0 (CalEnviroScreen). (OEHHA, 2024)

7. *Senate Bill 1000 – Environmental Justice in Local Land Use Planning*

In an effort to address the inequitable distribution of pollution and associated health effects in low-income communities and communities of color, the Legislature passed and Governor Brown signed SB 1000 in 2016, requiring local governments to identify environmental justice communities (called “disadvantaged communities”) in their jurisdictions and address environmental justice in their general plans. This new law has several purposes, including to facilitate transparency and public engagement in local governments’ planning and decision-making processes, reduce harmful pollutants and the associated health risks in environmental justice communities, and promote equitable access to health-inducing benefits, such as healthy food options, housing, public facilities, and recreation. SB 1000 requires environmental justice elements to identify objectives and policies to reduce unique or compounded health risks in disadvantaged communities. Generally, environmental justice elements will include policies to reduce the community’s exposure to pollution through air quality improvement. SB 1000 affirms the need to integrate environmental justice principles into the planning process to prioritize improvements and programs that address the needs of disadvantaged communities. (OAG, n.d.)

8. *Assembly Bill 617*

AB 617 was enacted into law in 2017 and relates to criteria air pollutants and toxic air contaminants from sources other than vehicles. In response to AB 617, CARB established the Community Air Protection Program (CAPP or Program). The Program’s focus is to reduce exposure in communities most impacted by air pollution. Communities around the State are working together to develop and implement new strategies to measure air pollution and reduce health impacts. This first-of-its-kind statewide effort includes community air monitoring and community emissions reduction programs. In addition, the Legislature appropriated funding to support early actions to address localized air pollution through targeted incentive funding to deploy cleaner technologies in these communities, as well as grants to support community participation in the AB 617 process. AB 617 also includes new requirements for accelerated retrofit of pollution controls on industrial sources, increased penalty fees, and greater transparency and availability of air quality and emissions data, which will help advance air pollution control efforts throughout the State. This new effort provides an opportunity to continue to enhance air quality planning efforts and better integrate community, regional, and State level programs to provide clean air. (CARB, n.d.)



C. Regional

1. *San Joaquin Valley Air Pollution Control District*

The Project is within the jurisdiction of the San Joaquin Valley Air Pollution Control District and is located in the San Joaquin Valley Air Basin. SJVAPCD rule development has resulted in improvement in air quality for the SJVAB. Nearly all control programs developed through the early 2000s relied on (i) the development and application of cleaner technology; (ii) add-on emission controls, and (iii) uniform CEQA review throughout the SJVAB. Industrial emission sources have been significantly reduced by this approach and vehicular emissions have been reduced by technologies implemented at the state level by CARB. SJVAPCD Rules that are currently applicable during construction activity for this Project include, but are not limited to:

Rule 4102

The purpose of this rule is to prohibit a facility from posing as a nuisance to surrounding receptors and can impose penalties for nuisance issues such as dust, smoke, excess emissions, etc. Compliance with this rule ensures that the area around the Project site will not be adversely impacted by such issues.

Regulation VIII

SJVAPCD Regulation VIII is a series of regulations to reduce and/or eliminate generation of particulate matter that can adversely impact visibility as well as the health and safety of people on-site or in the vicinity of the Project.

Rule 8011

The purpose of this rule is to reduce ambient concentration of PM₁₀ by requiring actions to prevent, reduce or mitigate anthropogenic (human-caused) fugitive dust emissions.

Rule 8021

The purpose of this rule is to limit fugitive dust emissions from construction, demolition, excavation, extraction, and other earthmoving activities. This rule places limits on opacity and equipment operation under certain adverse weather conditions.

Rule 8041

The purpose of this rule is to require that equipment and vehicles leaving the construction site control the amount of dirt, soil, or mud that is tracked offsite and onto public roadways. This helps eliminate or minimize dust generation and opacity degradation.

Rule 8051

The purpose of this rule is to limit fugitive dust from open areas, i.e., areas on a construction site that are not actively being constructed upon but may generate wind-blown dust.



Rule 9510

The purpose of this rule, also known as the Indirect Source Review (ISR) Rule, is to reduce emissions associated with construction and operational activities of development projects within the San Joaquin Valley.

D. Local

1. *City of Manteca General Plan*

The General Plan identifies goals related to Air Quality in the Resource Conservation Element. These goals and policies and a discussion of the Project's consistency are discussed in Table 4.9-2, *General Plan Consistency Analysis*, in EIR Section 4.9, *Land Use and Planning*, of this EIR.

4.1.4 BASIS FOR DETERMINING SIGNIFICANCE

According to Section III of Appendix G to the CEQA Guidelines, the Project would result in a significant impact to air quality if the Project or any Project-related component would:

- a. *Conflict with or obstruct implementation of the applicable air quality plan;*
- b. *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard;*
- c. *Expose sensitive receptors to substantial pollutant concentrations;*
- d. *Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.*

The SJVAPCD has developed regional significance thresholds for other regulated pollutants, as summarized at Table 4.1-4, *Maximum Daily Regional Emissions Thresholds*. The SJVAPCD's CEQA Air Quality Significance Thresholds indicate that any projects in the SJVAB with annual emissions that exceed any of the indicated thresholds should be considered as having an individually and cumulatively significant air quality impact.



Table 4.1-4 Maximum Daily Regional Emissions Thresholds

| Pollutant | Regional Construction Threshold | Regional Operational Thresholds |
|-------------------|--|--|
| NO _x | 10 tons/year | 10 tons/year |
| VOC | 10 tons/year | 10 tons/year |
| PM ₁₀ | 15 tons/year | 15 tons/year |
| PM _{2.5} | 15 tons/year | 15 tons/year |
| SO _x | 27 tons/year | 27 tons/year |
| CO | 100 tons/year | 100 tons/year |

4.1.5 METHODOLOGY

In July 2024, the California Air Pollution Control Officers Association (CAPCOA) in conjunction with other California air districts, including SJVAPCD, released the latest version of CalEEMod version 2022.1.1.26. The purpose of this model is to calculate construction-source and operational-source criteria pollutant (VOCs, NO_x, SO_x, CO, PM₁₀, and PM_{2.5}) and GHG emissions from direct and indirect sources; and quantify applicable air quality and GHG reductions achieved from mitigation measures. Accordingly, the latest version of CalEEMod has been used for this Project to determine construction and operational air quality emissions. Refer to Appendices 3.1 through 3.2 of the Project’s Air Quality Impact Analysis (*Technical Appendix B1* of this EIR) for Criteria Air Pollutant CalEEMod Output Files.

The Project was modeled in CalEEMod assuming 289,449 square feet of Refrigerated Warehouse-No Rail space. Additionally, the User Defined Industrial land use was used in order to separately model emissions that would occur as a result of Project truck trips. Passenger vehicle trips, as well as all other emission sources, were modeled under the Refrigerated Warehouse-No Rail land use.

A. Project-Related Construction Emissions

1. Construction Activities

Construction activities associated with the Project would result in emissions of VOCs, NO_x, SO_x, CO, PM₁₀, and PM_{2.5}. Construction related emissions are expected from the following construction activities: Site Preparation, Grading, Building Construction, Paving, and Architectural Coating.

Grading Activities

Dust is typically a major concern during grading activities. Because such emissions are not amenable to collection and discharge through a controlled source, they are called “fugitive emissions.” Fugitive dust emissions rates vary as a function of many parameters (soil silt, soil moisture, wind speed, area disturbed, number of vehicles, depth of disturbance or excavation, etc.). CalEEMod was utilized to calculate fugitive dust emissions resulting from this phase of activity. This analysis assumes that earthwork activities are expected to balance on site and no import or export of soils would be required.



On-Road Trips

Construction generates on-road vehicle emissions from vehicle usage for workers, vendors, and haul trucks commuting to and from the site. Vendor trips include the delivery of building materials and construction equipment to the Project site, while hauling trips include the hauling away of demolition material and the import/export of soil. Worker trips for all phases are based on CalEEMod defaults. It should be noted that for vendor trips, specifically, CalEEMod only assigns vendor trips to the Building Construction phase. Vendor trips would likely occur during all phases of construction. As such, the CalEEMod defaults for vendor trips have been adjusted based on a ratio of the total vendor trips to the number of days of each subphase of activity. Since construction of the Project does not require any demolition activities or any soil import or export, no hauling trips would be required.

2. Construction Duration

For purposes of evaluating the Project’s construction-related air quality impacts, construction of the Project is expected to occur over a 10-month period, and the construction commencement date for purposes of analysis assumed that construction would start February 2025.. The construction schedule utilized in the analysis represents a “worst-case” analysis scenario should construction occur any time after the respective dates since emission factors for construction decrease as time passes and the analysis year increases due to emission regulations becoming more stringent. The duration of construction activity and associated equipment represents a reasonable approximation of the expected construction fleet as required per CEQA Guidelines.

3. Construction Equipment

A summary of the anticipated construction equipment by phase is provided on Table 3-2, *Construction Equipment Requirements*, in Section 3.0, *Project Description*, of this EIR. Consistent with industry standards and typical construction practices for other large-scale development, each piece of equipment listed in Table 3-2 will operate up to a total of eight (8) hours per day, or more than two-thirds of the period during which construction activities are allowed pursuant to the City code.

B. Project Operational Emissions

Operation activities associated with the Project would result in emissions of VOCs, NO_x, SO_x, CO, PM₁₀, and PM_{2.5}. Operational emissions would be expected from Area Source Emissions, Energy Emissions, Mobile Source Emissions, Stationary Source Emissions, On-site Cargo Equipment Emissions, and Transport Refrigeration Unit (TRU) Emissions . For additional information regarding the calculation of Project operational emissions, please refer to Section 3.5 of the Project’s Air Quality Analysis (*Technical Appendix B1* of this EIR).

1. Area Source Emissions

Area source emissions associated with the Project would occur as a result of architectural coatings, consumer products, and landscape maintenance equipment, as follows:



Architectural Coatings

Over a period of time, the buildings that are part of this Project would require maintenance and would therefore produce emissions resulting from the evaporation of solvents contained in paints, varnishes, primers, and other surface coatings. The emissions associated with architectural coatings were calculated using CalEEMod.

Consumer Products

Consumer products include, but are not limited to, detergents, cleaning compounds, polishes, personal care products, and lawn and garden products. Many of these products contain organic compounds which, when released in the atmosphere, can react to form ozone and other photochemically reactive pollutants. The emissions associated with use of consumer products were calculated based on defaults provided within CalEEMod.

Landscape Maintenance Equipment

Landscape maintenance equipment would generate emissions from fuel combustion and evaporation of unburned fuel. Equipment in this category would include lawnmowers, shredders/grinders, blowers, trimmers, chain saws, and hedge trimmers used to maintain the landscaping of the Project. It should be noted that on October 9, 2021, Governor Gavin Newsom signed AB 1346. The bill aims to ban the sale of new gasoline-powered equipment under 25 gross horsepower (known as small off-road engines [SOREs]) by 2024. For purposes of analysis, the emissions associated with landscape maintenance equipment were calculated based on assumptions provided in CalEEMod.

2. Energy Source Emissions

Electricity and natural gas are used by almost every project. Criteria pollutant emissions are emitted through the generation of electricity and consumption of natural gas. However, because electrical generating facilities for the Project area are located either outside the region (state) or offset through the use of pollution credits (Regional Clean Air Incentives Market [RECLAIM]) for generation within the SJVAB, criteria pollutant emissions from offsite generation of electricity are excluded from the evaluation of significance. Electricity and natural gas usage associated with the Project were calculated by CalEEMod using default parameters.

3. Mobile Source Emissions

The Project-related emissions derive primarily from 614 vehicle trips generated by the Project, including employee trips to and from the site and truck trips associated with the proposed uses. Trip characteristics available from the Proposed Warehouse 407 Spreckels Avenue Traffic Study (*Technical Appendix K* of this EIR) were utilized in this analysis.

To determine emissions from passenger car vehicles, the CalEEMod defaults were utilized for trip length and trip purpose for the proposed uses. For the proposed industrial uses, it is important to note that although the Project traffic study does not breakdown passenger cars by type, this analysis assumes that passenger cars include Light-Duty-Auto vehicles (LDA), Light-Duty-Trucks (LDT1 & LDT2), Medium-Duty-Vehicles (MDV), and Motorcycles (MCY) vehicle types.



Vehicle trip lengths for off-site truck trips were based on an average travel distance of 46.74 miles/one-way trip and an assumption of 100 percent primary trips. This truck trip length was calculated based on StreetLight™ Data's Truck Volume Metrics for medium heavy-duty trucks (2- and 3-axle trucks) and heavy heavy-duty trucks (4+ axle trucks). Based on this data, average trip lengths of 19.5 miles and 93.8 miles was assumed for medium heavy-duty trucks and heavy heavy-duty trucks, respectively. Additionally, based on StreetLight™ data it was assumed that 82.5% of truck activity would occur within the San Joaquin Air Pollution Control District. Passenger vehicle trip lengths are based on CalEEMod model defaults.

Vehicles traveling on paved roads would be a source of fugitive emissions due to the generation of road dust inclusive of brake and tire wear particulates. The emissions estimate for travel on paved roads were calculated using CalEEMod.

4. Stationary Source Emissions

The Project was conservatively assumed to include installation of one 300 horsepower diesel-powered emergency fire pump and one 700 horsepower diesel-powered emergency generator. The emergency engines were each estimated to operate for up to 1 hour per day, 1 day per week for up to 50 hours per year for maintenance and testing purposes. Emissions associated with the stationary emergency diesel-powered emergency engines were calculated using CalEEMod.

5. On-Site Cargo Handling Equipment Source Emissions

It is common for industrial buildings to require the operation of exterior cargo handling equipment in the building's truck court areas. For this Project, on-site modeled operational equipment includes up to two (2) 175 horsepower (hp), natural gas-powered cargo handling equipment – port tractor operating 4 hours a day for 365 days of the year.

6. Transport Refrigeration Unit (TRU) Emissions

In order to account for the possibility of refrigerated uses, trucks associated with the cold-storage land use are assumed to also have TRUs. Therefore, for modeling purposes, all 217 daily truck trips were assumed to include TRUs. TRUs are accounted for during on-site and off-site travel. The TRU calculations are based on the Emission Factor Model (EMFAC) Offroad Emissions, developed by CARB. EMFAC does not provide emission rates per hour or mile as with the on-road emission model and only provides emission inventories. Emission results are produced in tons per day while all activity, fuel consumption and horsepower hours were reported at annual levels. The emission inventory is based on specific assumptions including the average horsepower rating of specific types of equipment and the hours of operation annually. These assumptions are not always consistent with assumptions used in the modeling of project level emissions. Therefore, the emissions inventory was converted into emission rates to accurately calculate emissions from TRU operation associated with project level details. This was accomplished by converting the annual horsepower hours to daily operational characteristics and converting the daily emission levels into hourly emission rates based on the total emission of each criteria pollutant by equipment type and the average daily hours of operation.

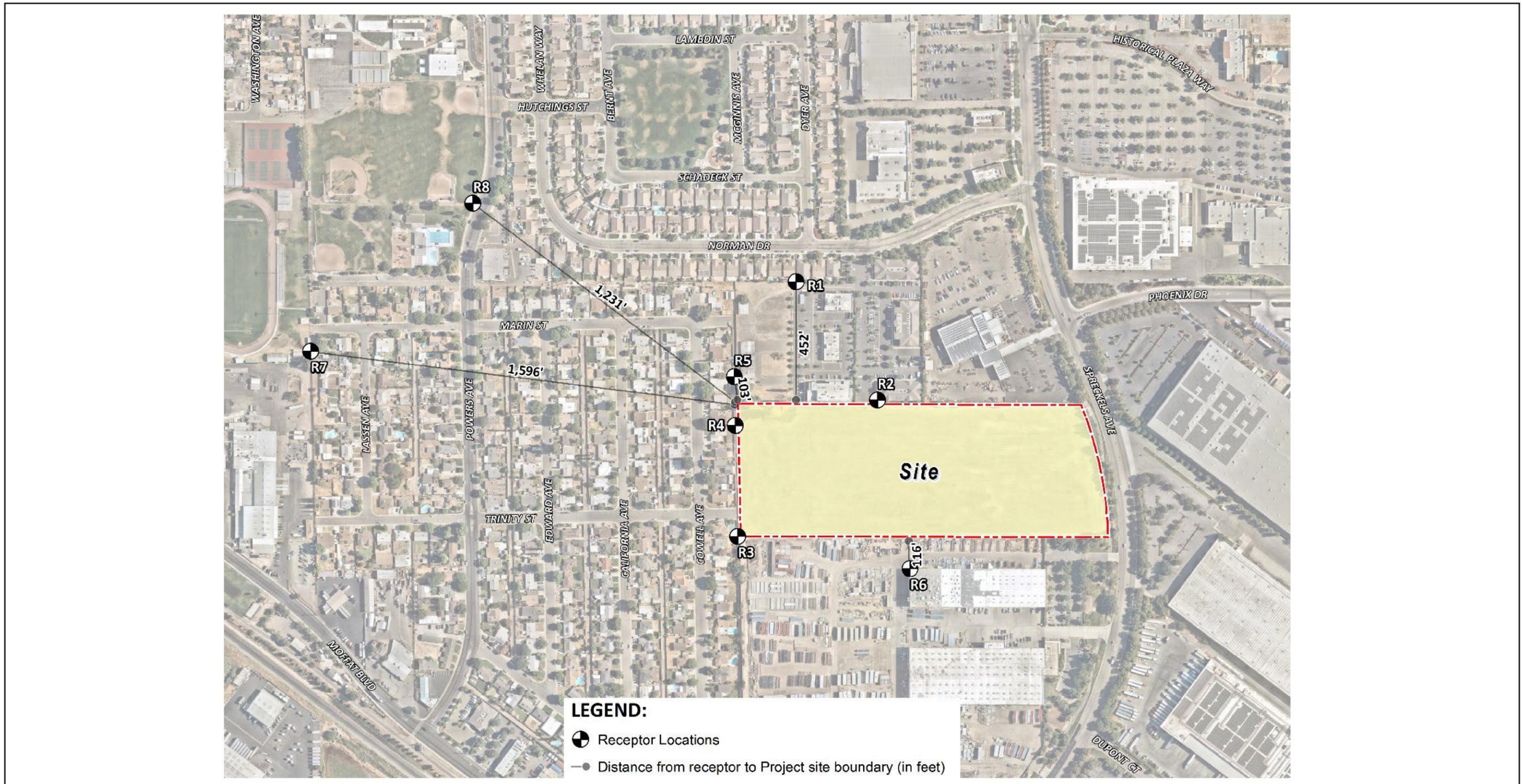


C. Sensitive Receptor Analysis

Some people are especially sensitive to air pollution and are given special consideration when evaluating air quality impacts from projects. The potential impact of Project-generated air pollutant emissions at sensitive receptors has also been considered. Sensitive receptors can include uses such as long-term health care facilities, rehabilitation centers, and retirement homes. Residences, schools, playgrounds, childcare centers, and athletic facilities can also be considered as sensitive receptors.

Receptors in the Project study area are described below and shown in Figure 4.1-1, *Sensitive Receptor Locations*. All distances are measured from the Project site's boundary to the outdoor living areas (e.g., backyards) or at the building façade, whichever is closer to the Project site. The selection of receptor locations is based on Federal Highway Administration (FHWA) guidelines and is consistent with additional guidance provided by Caltrans and the Federal Transit Administration (FTA). Distance is measured in a straight line from the Project boundary to each receptor location.

- R1: Location R1 represents the existing residence at 1098 Norman Drive, approximately 452 feet north of the Project site.
- R2: Location R2 represents the potential worker receptor at 1148 Norman Drive, immediately to the north of the Project site.
- R3: Location R3 represents the existing residence at 1002 Trinity Street, immediately to southwest of the Project site.
- R4: Location R4 represents the existing residence at 332 Cowell Avenue, immediately to the west of the Project site.
- R5: Location R5 represents the existing residence at 320 Cowell Avenue, approximately 103 feet northwest of the Project site.
- R6: Location R6 represents the potential worker receptor located approximately 116 feet south of the Project site.
- R7: Location R7 represents Manteca High School at 450 E. Yosemite Avenue, approximately 1,596 feet northwest of the Project site.



Source(s): Urban Crossroads (10-30-2024)

Figure 4.1-1





- **R8:** Location R8 represents Lincoln Elementary School at 165 S. Powers Avenue, approximately 1,231 feet northwest of the Project site.

D. Health Risk Assessment Methodology

The HRA is based on applicable guidelines to produce conservative estimates of human health risk posed by exposure to DPM. The conservative nature of this analysis is due primarily to the following factors:

- The ARB-adopted diesel exhaust Unit Risk Factor (URF) of 300 in one million per $\mu\text{g}/\text{m}^3$ is based upon the upper 95th percentile of estimated risk for each of the epidemiological studies utilized to develop the URF. Using the 95th percentile URF represents a very conservative (health-protective) risk posed by DPM because it represents breathing rates that are high for the human body.
- The emissions derived assume that every truck accessing the Project site will idle for 15 minutes under the unmitigated scenario, and this is an overestimation of actual idling times and thus conservative. CARB anti-idling requirements impose a 5-minute maximum idling time and therefore the analysis conservatively overestimates DPM emissions from idling by a factor of 3.

The SJVAPCD has established an incidence rate of twenty (20) persons per million as the maximum acceptable incremental cancer risk due to DPM exposure from a project such as the Project. Non-carcinogenic risk is expressed as a hazard index, which is quantified by comparing the exposure to the reference level via a ratio (i.e., the exposure divided by the appropriate chronic or acute value). Exposures below the reference level (a hazard index of 1.0) are not likely to be associated with any adverse health effects and are considered to be less than significant.

4.1.6 IMPACT ANALYSIS

Threshold a: Would the Project conflict with or obstruct implementation of the applicable air quality plan?

The Federal Particulate Matter Attainment Plan and Ozone Attainment Plan for the San Joaquin Valley set forth a comprehensive set of programs that will lead the SJVAB into compliance with federal and state air quality standards. The control measures and related emission reduction estimates within the Federal Particulate Matter Attainment Plan and Ozone Attainment Plan are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. Accordingly, conformance with these attainment plans for development projects is determined by demonstrating compliance with the indicators discussed below.

Consistency Criterion No. 1: Determination that an Air Quality Attainment Plan (AQAP) is being implemented in the area where the Project is being proposed.



The Project is located in San Joaquin County, within the jurisdiction of the SJVAPCD. The SJVAPCD has implemented the current AQAP, as approved by CARB. Therefore, the Project is considered to be consistent with Consistency Criterion No. 1.

Consistency Criterion No. 2: The Project will not exceed the assumptions in the AQMP based on the years of project build-out phase.

The City of Manteca General Plan designates the Project site for Light Industrial (LI) uses, and the site is zoned Business Industrial Park (BIP). The Project Applicant proposes land uses that are consistent with development anticipated under the site’s existing General Plan land use and zoning designations. The Project would therefore conform to local land use plans, and the Project is considered to be consistent with the growth assumptions of the applicable AQAP. Therefore, the Project is considered to be consistent with Consistency Criterion No. 2.

Consistency Criterion No. 3: The Project must contain in its design all reasonably available and feasible air quality control measures.

The Project would be required to comply with all applicable SJVAPCD Rules and Regulations, including, but not limited to, Rule 4102 (Nuisance) and Regulation VIII (Fugitive PM10 Prohibitions). Therefore, the Project is considered to be consistent with Consistency Criterion No. 3.

A. Conclusion

The Project’s proposed land use designation for the subject site is consistent with the land use designation discussed in the General Plan and is thus consistent with the growth assumptions of the applicable AQAP. Furthermore, the Project would be required to comply with all applicable SJVAPCD Rules and Regulations and would not exceed significance thresholds established by the SJVAPCD for construction or operational emissions. As such, the Project is consistent with the AQAP. Impacts would be less than significant.

Threshold b: Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

A. Construction

As discussed above in Section, 4.1.5, *Methodology*, the latest version of CalEEMod has been used for this Project to determine construction and operational air quality emissions. Refer to Appendices 3.1 through 3.2 of the Project’s Air Quality Impact Analysis (*Technical Appendix B1* of this EIR) for Criteria Air Pollutant CalEEMod Output Files. Construction emissions impacts could result from demolition activities, grading activities, and offsite utility and infrastructure improvements.

The estimated maximum annual construction emissions without mitigation are summarized in Table 4.1-5, *Overall Construction Emissions Summary*. Under the assumed scenarios, emissions resulting

from the Project construction would not exceed criteria pollutant thresholds established by the SJVAPCD. Impacts would be less than significant.

Table 4.1-5 Overall Construction Emissions Summary

| Year | Emissions (ton/year) | | | | | |
|---------------------------------|----------------------|-----------------|-------------|-------------------|------------------|-------------------|
| | VOC | NO _x | CO | SO _x | PM ₁₀ | PM _{2.5} |
| 2025 | 0.94 | 1.86 | 2.63 | < 0.005 | 0.23 | 0.11 |
| Maximum Annual Emissions | 0.94 | 1.86 | 2.63 | < 0.005 | 0.23 | 0.11 |
| SJVAPCD Regional Threshold | 10 | 10 | 100 | 27 | 15 | 15 |
| Threshold Exceeded? | NO | NO | NO | NO | NO | NO |

B. Operation

As discussed above in Section 4.1.5, *Methodology*, operational emissions would be expected from mobile source emissions, area source emissions, energy source emissions, stationary source emissions, on-site cargo equipment, and TRU source emissions. For additional information regarding the calculation of Project operational emissions, please refer to Appendix 3.2 of the Project's Air Quality Analysis (*Technical Appendix B1* of this EIR).

The estimated annual operational-source emissions are summarized in Table 4.1-6, *Summary of Peak Operational Emissions*. Project operational activities would not exceed the numerical thresholds of significance established by the SJVAPCD. Thus, impacts would be less than significant.

Table 4.1-6 Summary of Peak Operational Emissions

| Source | Emissions (ton/year) | | | | | |
|---|----------------------|-----------------|--------------|-----------------|------------------|-------------------|
| | VOC | NO _x | CO | SO _x | PM ₁₀ | PM _{2.5} |
| Mobile Source | 0.33 | 4.12 | 2.96 | 0.04 | 1.6 | 0.47 |
| Area Source | 1.39 | 0.01 | 1.13 | < 0.005 | < 0.005 | < 0.005 |
| Energy Source | < 0.005 | 0.07 | 0.06 | < 0.005 | 0.01 | 0.01 |
| Stationary Source | 0.03 | 0.08 | 0.07 | < 0.005 | < 0.005 | < 0.005 |
| On-site Cargo Equipment | 0.04 | 0.14 | 6 | 0 | 0.01 | 0.01 |
| TRU Source | 4.27 | 4.57 | 0.5 | 0 | 0.17 | 0.15 |
| Project Maximum Annual Emissions | 6.06 | 8.99 | 10.72 | 0.04 | 1.79 | 0.64 |
| SJVAPCD Regional Threshold | 10 | 10 | 100 | 27 | 15 | 15 |
| Threshold Exceeded? | NO | NO | NO | NO | NO | NO |



C. Emissions in other Air Districts

The Project’s truck and TRU trip related emissions that could occur outside of the air district in which the Project is located (SJVAPCD) are presented below. More specifically, travel within the Bay Area Air Quality Management District (BAAQMD), Sacramento Metropolitan Air Quality Management District (SMAQMD), and Yolo-Solano Air Quality Management District (YSAQMD) were evaluated.

Table 4.1-7 Operational Emissions – BAAQMD

| Source | Emissions | | | | | | | |
|---|-------------|-------------|-------------------------|-------------------------|--------------------------|--------------------------|---------------------------|---------------------------|
| | VOC lbs/day | VOC tons/yr | NO _x lbs/day | NO _x tons/yr | PM ₁₀ lbs/day | PM ₁₀ tons/yr | PM _{2.5} lbs/day | PM _{2.5} tons/yr |
| Mobile Source | 0.24 | 0.03 | 5.03 | 0.65 | 0.96 | 0.13 | 0.29 | 0.04 |
| TRU Source | 2.73 | 0.36 | 2.92 | 0.39 | 0.11 | 0.01 | 0.10 | 0.01 |
| Project Maximum Annual Emissions | 2.97 | 0.39 | 7.95 | 1.04 | 1.07 | 0.14 | 0.39 | 0.05 |
| BAAQMD Regional Threshold | 54 | 10 | 54 | 10 | 82 | 15 | 54 | 10 |
| Threshold Exceeded? | NO | NO | NO | NO | NO | NO | NO | NO |

Table 4.1-8 Operational Emissions – SMAQMD

| Source | Emissions | | | | | |
|---|-------------|-------------------------|--------------------------|--------------------------|---------------------------|---------------------------|
| | VOC lbs/day | NO _x lbs/day | PM ₁₀ lbs/day | PM ₁₀ tons/yr | PM _{2.5} lbs/day | PM _{2.5} tons/yr |
| Mobile Source | 0.23 | 4.82 | 0.89 | 0.12 | 0.27 | 0.04 |
| TRU Source | 2.54 | 2.72 | 0.10 | 0.01 | 0.09 | 0.01 |
| Project Maximum Annual Emissions | 2.77 | 7.54 | 0.99 | 0.13 | 0.36 | 0.05 |
| SMAQMD Regional Threshold | 65 | 65 | 80 | 14.6 | 82 | 15 |
| Threshold Exceeded? | NO | NO | NO | NO | NO | NO |

Table 4.1-9 Operational Emissions – YSAQMD

| Source | Emissions | | |
|---|-------------|-------------------------|--------------------------|
| | VOC tons/yr | NO _x tons/yr | PM ₁₀ lbs/day |
| Mobile Source | 0.02 | 0.32 | 0.12 |
| TRU Source | 0.05 | 0.05 | 0.01 |
| Project Maximum Annual Emissions | 0.07 | 0.37 | 0.13 |
| YSAQMD Regional Threshold | 10 | 10 | 80 |
| Threshold Exceeded? | NO | NO | NO |



Table 4.1-7 through Table 4.1-9 summarizes the emissions that could occur due to off-site truck and TRU travel within the aforementioned air districts. As shown above, the Project's off-site truck and TRU travel would not exceed the operational emissions thresholds for BAAQMD, SMAQMD, and YSAQMD.

Threshold c: Would the Project expose sensitive receptors to substantial pollutant concentrations?

A. Sensitive Receptors

Based on thresholds established in SJVAPCD's Guide for Assessing and Mitigating Air Quality Impacts, Project-related impacts on air quality may be significant when on-site emissions from construction or operational activities exceed the screening threshold of 100 pounds per day. Should Project on-site construction or operational emissions exceed this threshold, it is recommended that an ambient air quality analysis be performed. Because on-site emissions generated as a result of construction or operation of the Project would not exceed this screening threshold, the Project would not cause or contribute to a violation of the AAQS, and preparation of an ambient air quality analysis is not required.

B. Construction

The emissions calculations for the construction HRA component are based on an assumed mix of construction equipment and hauling activity. Construction-related DPM emissions are expected to occur primarily as a function of heavy-duty construction equipment that would be operating on-site.

The land use with the greatest potential exposure to Project construction DPM source emissions is Location R4 which is located immediately to the west of the Project site at the existing residence at 332 Cowell Avenue. Receptor R4 is placed in the private outdoor living areas (backyard) facing the Project site. At the maximally exposed individual receptor (MEIR), the maximum incremental cancer risk attributable to Project construction DPM source emissions is estimated at 3.02 in one million, which is less than the SJVAPCD significance threshold of 20 in one million. At this same location, non-cancer risks were estimated to be ≤ 0.01 , which would not exceed the applicable threshold of 1.0. Because all other modeled residential receptors are located at a greater distance from the Project site and are exposed to lesser concentrations of DPM than the MEIR analyzed herein, and TACs generally dissipate with distance from the source, all other residential receptors in the vicinity of the Project site would be exposed to less emissions and therefore less risk than MEIR identified herein.

C. Operational Impacts Analysis

1. CO "Hot Spot" Analysis

It should be noted that SJVAPCD has not established its own guidelines for CO hot spots analysis. Since the SJVAPCD guidelines are based on SCAQMD methodology, it is appropriate to apply the SCAQMD criteria when analyzing CO hot spots within the SJVAPCD.

A CO hotspot is defined as a localized concentration of carbon monoxide exceeding the state one-hour standard of 20 ppm or the eight-hour standard of 9 ppm. Over the last two decades, background CO



concentrations have been significantly reduced due to regulatory controls on tailpipe emissions, and the air basin is currently in attainment for CO.

The SCAQMD's 2003 AQMP findings underscore that CO hotspots are highly unlikely due to the reduced background concentrations and the effectiveness of California's air quality management strategies. The substantial reduction in CO levels from the vehicle fleet and the state's attainment status for CO further diminish the need for detailed microscale hotspot analyses, reinforcing that existing monitoring and regulatory frameworks adequately address potential air quality concerns.

As summarized in the 2003 AQMP, even at one of the busiest intersections at that time, only 0.7 ppm of CO is attributable to vehicular traffic and the remaining 7.7 ppm were due to ambient background conditions. The background 1-hour and 8-hour concentrations are well below the applicable AAQS. As such, Project-related traffic at any intersections within the air basin would not cause or contribute to a CO hotspot since the background concentrations are low and any contribution from project traffic would be negligible. The project would not significantly contribute to the formation of a CO hotspot.

2. *Potential Health Impacts of the Project*

Residential Exposure Scenario:

The residential land use with the greatest potential exposure to Project DPM source emissions is Location R4 which is located immediately to the west of the Project site at the existing residence at 332 Cowell Avenue. At the MEIR, the maximum incremental cancer risk attributable to Project DPM source emissions is estimated at 26.51 in one million, which would exceed the SJVAPCD significance threshold of 20 in one million. At this same location, non-cancer risks were estimated to be 0.04 which would not exceed the applicable significance threshold of 1.0. As such, the Project has the potential to cause a significant human health or cancer risk to nearby residences.

Worker Exposure Scenario:

The worker receptor land use with the greatest potential exposure to Project DPM source emissions is Location R6, which represents the adjacent potential worker receptor approximately 116 feet south of the Project site. At the maximally exposed individual worker (MEIW), the maximum incremental cancer risk impact is 6.28 in one million, which is less than the SJVAPCD threshold of 20 in one million. Maximum non-cancer risks at this same location were estimated to be ≤ 0.01 , which would not exceed the applicable significance threshold of 1.0. Because all other modeled worker receptors are located at a greater distance and would experience lower concentrations of DPM than the MEIW analyzed herein, and DPM dissipates with distance from the source, all other worker receptors in the vicinity of the Project would be exposed to less emissions and therefore less risk than the MEIW identified herein. As such, the Project will not cause a significant human health or cancer risk to adjacent workers.



School Child Exposure Scenario:

The nearest school and location of the maximally exposed individual school child (MEISC) is Lincoln Elementary School, located approximately 1,231 feet northwest of the Project site. At the MEISC, the maximum incremental cancer risk impact attributable to the Project is calculated to be 1.29 in one million without mitigation which is less than the significance threshold of 20 in one million. At this same location, non-cancer risks attributable to the Project were calculated to be ≤ 0.01 without mitigation, which would not exceed the applicable significance threshold of 1.0. Because all other modeled school receptors would be exposed to lower concentrations of DPM, all other school receptors in the vicinity of the Project would be exposed to less emissions and therefore less risk than the MEISC identified herein.

D. Construction and Operational Health Impacts

The land use with the greatest potential exposure to Project construction and operational DPM source emissions is Location R4. At the MEIR, the maximum incremental cancer risk attributable to Project construction and operational DPM source emissions is estimated at 23.70 in one million without mitigation, which would exceed the SJVAPCD threshold of 20 in one million. At this same location, non-cancer risks were estimated to be 0.04 without mitigation which would not exceed the applicable threshold of 1.0. All other receptors during construction and operational activity would experience less risk than what is identified for this location. Therefore, sensitive receptors would be exposed to substantial pollutant concentrations due to the Project, and impacts would be potentially significant.

Threshold d: Would the Project result in other emissions (such as those leading to odors adversely affecting a substantial number of people?)

The potential for the Project to generate objectionable odors has also been considered. Land uses generally associated with odor complaints include, but are not limited to: Agricultural uses (livestock and farming), Wastewater treatment plants, Food processing plants, Chemical plants, Composting operations, Refineries, Landfills, Dairies, and Fiberglass molding facilities.

The Project does not contain land uses typically associated with emitting objectionable odors. Potential odor sources associated with the Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities and the temporary storage of typical solid waste (refuse) associated with the Project's (long-term operational) uses. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and is thus considered less than significant.

During operation, Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the City's solid waste regulations (Chapter 13.02 of the City's Municipal Code). The Project would also be required to comply with SJVAPCD Rule 4102 to prevent occurrences of public nuisances. Therefore, the Project does not have the potential to generate objectionable odors.

4.1.7 CUMULATIVE IMPACT ANALYSIS

Related projects could contribute to an existing or projected air quality exceedance because the Basin is currently non-attainment for O₃, PM₁₀, and PM_{2.5}.

Based on the SJVAPCD's Guide for Assessing and Mitigating Air Quality Impacts, if a project would not exceed the construction or operational significance thresholds and would not violate or lead to additional violations of the NAAQS and CAAQS, then the project would also have a less than significant impact with regard to cumulative impacts as well:

By its very nature, air pollution is largely a cumulative impact. The nonattainment status of regional pollutants is a result of past and present development. Future attainment of State and federal ambient air quality standards is a function of successful implementation of the District's attainment plans. Consequently, the District's applicant of thresholds of significance for criteria pollutants is relevant to the determination of whether a project's individual emissions would have a cumulatively significant impact on air quality.

A lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program.

The Project would not exceed SJVAPCD significance thresholds for construction or operational emissions. As such, the Project's cumulative impacts would be considered less than significant.

Cumulatively considerable odor impacts could occur if the Project in combination with other nearby projects resulted in combined construction- or operational-related odor impacts. The Project would be required to comply with SJVAPCD Rule 4102 to prevent occurrences of public nuisances. Additionally, there are no nearby related projects that generate substantial odors that could combine to create a cumulatively considerable odor impact. Therefore, impacts associated with odors would be less than cumulatively considerable.

A. Cumulative TAC Impacts

SJVAPCD does not currently have a separate methodology or threshold to evaluate a project's contribution to cumulative cancer risk. Instead, "...risks over the individual thresholds of significance are also considered cumulatively significant." As discussed above, the Project would result in a significant project level impact related to health risk and therefore would also contribute to a cumulatively considerable cancer risk. As discussed below, with the implementation of Mitigation Measures MM 4.1-1 through 4.1-3, the Project does not exceed the SJVAPCD project-specific significance threshold of an excess cancer risk of 20 in one million and would therefore not have a cumulatively considerable health risk impact.



It should be noted that because the Project vicinity is considered to be built out, there are no current or approved cumulative developments identified in the Project's traffic analysis (*Technical Appendix K*). It should be noted that the stacking of emissions from other projects in the vicinity of the Project site is overly conservative and not appropriate due to the localized nature of impacts from DPM. Nonetheless, in order to conservatively assess the potential cumulative health risk associated with other industrial/warehouse facilities located within 1,000 feet of the Project site and Project truck routes, which is consistent with guidance provided by the BAAQMD, the facilities within 1,000 feet of the proposed Project site or Project truck routes were identified. These projects represent a total of approximately 2,145,364 square feet of industrial/warehouse space.

Based on the ITE Trip Generation Manual, 11th Edition Land Use Code 150, a combined 2,145,364 square feet of warehouse could generate approximately 856 daily truck trips. As such, these nearby facilities could generate approximately 856 additional combined daily truck trips that could come along with the Project truck trips. These approximately 856 additional truck trips represent approximately 3.94 times the Project's total truck trip estimate of 217 truck trips. Therefore, it is estimated that these facilities could result in approximately 3.94 times the risk calculated for the Project, which would result in an additional risk of 31.71 per million. When combined with the Project's estimated risk of 8.04 in one million with mitigation, the combined estimated cumulative cancer risk would be estimated at 39.75 in one million.

The maximum incremental cancer risk shown above for each project represents the risk at the maximally exposed individual receptor for each project, and it should be noted that each of these receptors would be in different locations. As such, the total cumulative cancer risk of 39.75 in one million is highly conservative, and the actual risk contributions from each project would be less than this combined value. Despite this conservative approach, the total cumulative cancer risk from the Project and past, present, and reasonably foreseeable future projects that also contribute to the impact is well below the BAAMD and EPA's standard cumulative cancer risk threshold of 100 in one million. Therefore, cumulative health risk impacts would be less than cumulatively considerable.

4.1.8 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold a: Less-than-Significant Impact. The Project is located in an area where an AQAP is implemented, consistent with the growth assumptions of the applicable AQAP, and required to comply with all applicable SJVAPCD Rules and Regulations. . As such, the Project would not conflict with and could obstruct implementation of the AQAP, and impacts would be less than significant.

Threshold b: Less-than-Significant Impact. Project-related activities would not exceed the applicable SJVAPCD thresholds of significance during construction and operations. As such, Project-related emissions would not violate SJVAPCD air quality standards or contribute to the non-attainment of ozone standards in SJVAB, and impacts would be less than significant.

Threshold c: Potentially Significant Impact. TAC emissions generated as a result of Project construction activities would not exceed SJVAPCD cancer or non-cancer health risk thresholds; thus,



impacts are less than significant and mitigation of Project construction emissions is not required. However, Project operational TAC emissions would exceed the SJVAPCD cancer risk threshold and are significant. Non-cancer health risk associated from operation of the Project would not exceed SJVAPCD significance thresholds.

Threshold d: Less-than-Significant Impact. The Project would not generate substantial odors. Compliance with standard construction requirements and regulations established by the SJVAPCD would ensure odor impacts are less-than-significant levels. Near- and long-term odor impacts would be less than significant.

4.1.9 MITIGATION

Although the Project would not exceed the applicable SJVAPCD thresholds of significance during construction and operations, Mitigation Measures MM 4.6-1 and 4.6-2 imposed to reduce GHG emissions would also reduce air quality emissions. Refer to Section 4.6, *Greenhouse Gas Emissions*, of the Draft EIR. The mitigation measures discussed below are designed to reduce TAC emissions associated with the operation of TRU while loading and unloading at building loading docks.

- MM 4.1-1 Prior to the issuance of a building permit, the building’s electrical room shall be sufficiently sized to hold additional panels that may be needed in the future to supply power to trailers with TRUs during the loading/unloading of refrigerated goods. Conduit should be installed from the electrical room to the loading docks determined by the Project Applicant during construction document plan check as the logical location(s) to receive trailers with TRUs.

- MM 4.1-2 Prior to the issuance of a building permit for a cold storage operator, the Project applicant shall provide evidence to the City that all TRU loading docks install electrical hookups to facilitate plug-in capabilities and support use of electric standby and/or hybrid electric TRUs, and all loading docks are designed to be compatible with SmartWay trucks. All site and architectural plans submitted to the City Planning Department shall note all the truck/dock bays designated for electrification.

- MM 4.1-3 Legible, durable, weather-proof signs shall be placed at truck access gates, loading docks, and truck parking areas that identify applicable CARB anti-idling regulations. At a minimum, each sign shall include: 1) instructions for truck drivers to shut off engines when not in use; 2) instructions for drivers of diesel trucks to restrict idling to no more than three (3) minutes once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged; and 3) telephone numbers of the building facilities manager and CARB to report violations. Prior to the issuance of an occupancy permit, the City shall conduct a site inspection to ensure that the signs are in place.



4.1.10 SIGNIFICANCE OF IMPACTS AFTER MITIGATION

Threshold c: Less-Than-Significant Impact with Mitigation Incorporated. The main source of health risk is associated with TRUs and Mitigation Measures MM 4.1-1 through MM 4.1-3 are designed to reduce TAC emissions associated with the operation of TRUs while loading and unloading at building loading docks by requiring. The analysis assumes that TRU engine operation would not exceed 30 minutes while parked at building loading docks. With the implementation of mitigation measures, under the residential exposure scenario, the maximum incremental cancer risk at the MEIR is estimated at 8.04 in one million, which would not exceed the SJVAPCD significance threshold of 20 in one million. At this same location, non-cancer risks were estimated to be 0.01, which would not exceed the applicable significance threshold of 1.0. With implementation of Mitigation Measures MM 4.1-1 through MM 4.1-3 above, the Project's operational TAC emissions would not exceed SJVAPCD cancer risk significance thresholds; thus, the Project's operational TAC emissions would result in a less than significant health risk impact with mitigation incorporated.



4.2 BIOLOGICAL RESOURCES

The following analysis is based in part on information obtained from two technical reports prepared by NOREAS, Inc. (herein, “NOREAS”), entitled, “General Biological Resources Assessment” (herein, “Biological Assessment”), dated September 2024 (NOREAS, 2024a) and Arboricultural Inventory and Report prepared by NOREAS, dated October 2024 (NOREAS, 2024b). These technical reports are included as *Technical Appendices C1* and *C2* to this EIR. Refer to Section 7.0, *References*, for a complete list of these and other reference sources.

4.2.1 NOP/SCOPING MEETING COMMENTS

A NOP for the Project was released for public review on December 6, 2024 and an EIR Scoping meeting was held on December 12, 2024. No comments were made during the EIR Scoping Meeting that pertain to biological resources. One comment related to biological resources was received on December 11, 2024 from San Joaquin County Council of Governments (SJCOG), specifically with the Project being subject to the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP).

4.2.2 EXISTING CONDITIONS

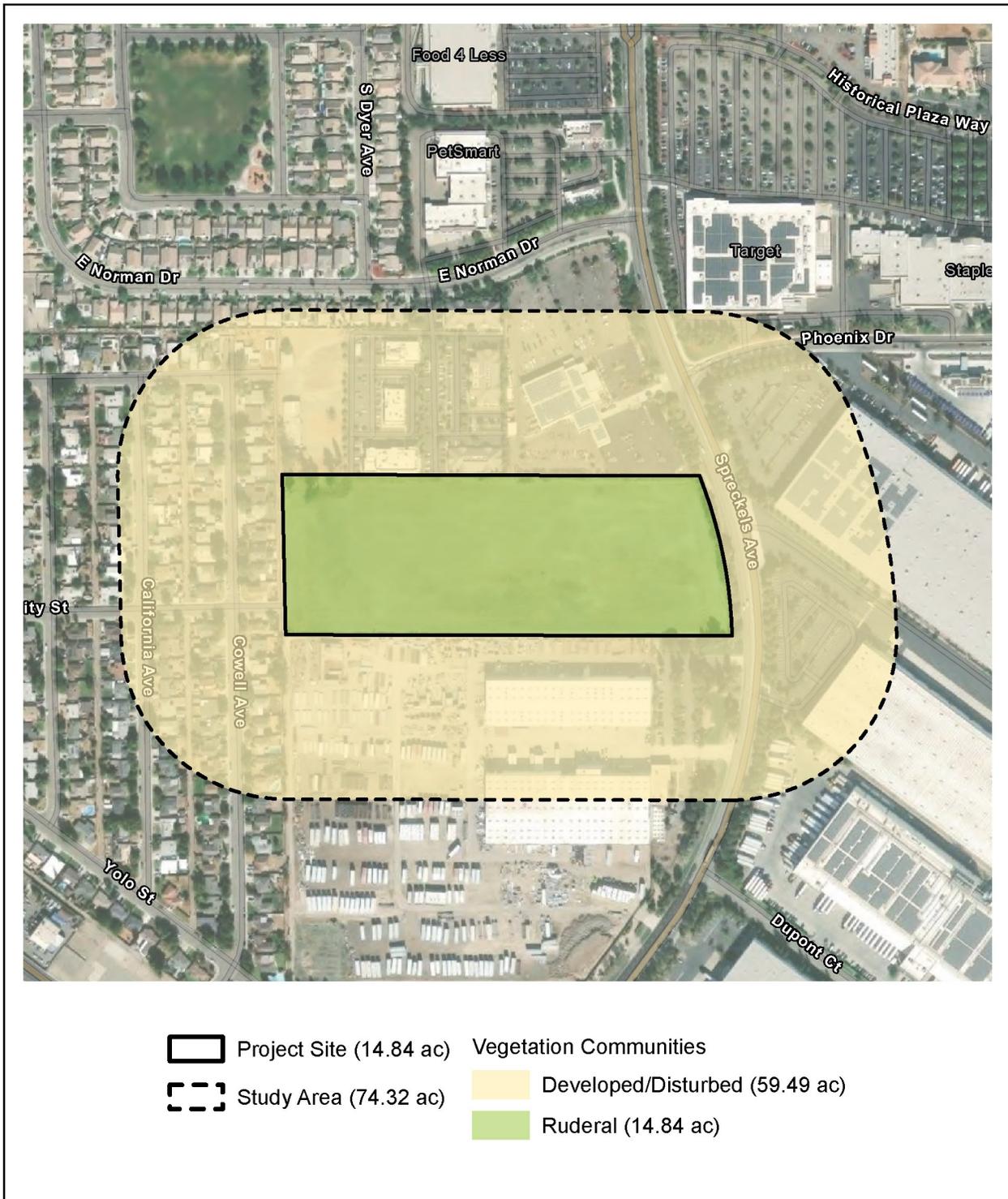
Under existing conditions, the Project site is vacant and routinely disked.

The Project site has been significantly altered by human activities over the past 106 years, as it has been cleared and graded and includes a landscape which is dominated by non-native species due to human influence. The Project site was previously developed as a portion of the Spreckels Sugar Mill. The sugar mill was built and began operation in 1918. The mill operated for over 75 years, producing refined sugar from sugar beets grown in the surrounding agricultural areas. It was one of the largest sugar beet processing plants in the world when it was built. The factory ceased operations in 1996, and after its closure, the plant was eventually demolished in 1997.

The Project is within the SJMSCP boundaries, however, all the land cover types within the Project site are ruderal, developed or disturbed habitats.

A. Vegetation Communities

As shown in Figure 4.2-1, *Vegetation Map*, two vegetation communities and land cover types were observed within the study area: Ruderal and Developed/Disturbed. These types are described below.



Source(s): Noreas (September 2024)

Figure 4.2-1



Not to Scale



Vegetation Map



- **Ruderal:** The Project site is characterized as a ruderal vegetation community that includes locations that have been subject to recent disking, grading, clearing, and other physical human modification of soils and vegetation. These lands also include areas with exposed soils with minimal vegetation, with moderate cover by various non-native annual grasses, and weeds (adapted for growth on substrates subject to disturbance). Common non-native plants species detected within this type include Maltese star-thistle (*Centaurea melitensis*), stinknet (*Oncosiphon piluliferum*), and cheeseweed (*Malva neglecta*).
- **Developed/Disturbed.** Disturbed/Developed lands within the study area include locales that have been developed, paved, cleared, graded or otherwise altered by anthropogenic activities (i.e., single-family residential units, commercial and industrial land uses, paved roads, ornamental and irrigated landscaping, etc.). Common non-native plants species detected within this type included riggut brome (*Bromus diandrus*), Sahara mustard (*Brassica Tournefortii*), Mexican fan palm (*Washingtonia Robusta*), and Schismus (*Schismus barbatus*).

B. Special-Status Plants

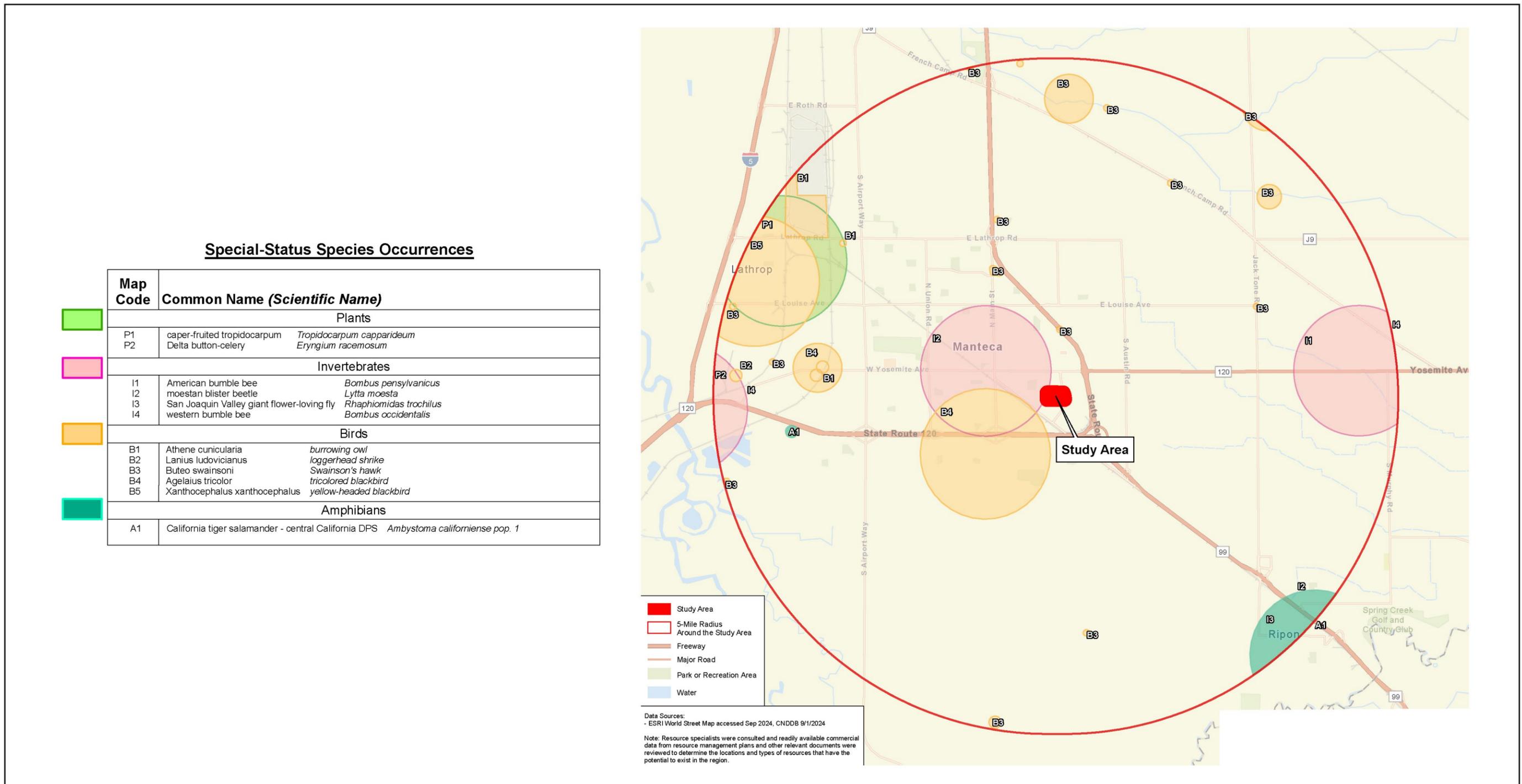
No Federal or State listed plant species were observed within the Project site during the 2024 field surveys. The 2024 survey results are consistent with prior surveys performed within the Project site in 2020. However, several have been documented within 10 miles of the Project (see Figure 4.2-2, *Special-Status Species Occurrences*). Additionally, as shown in Figure 4.2-3, *Critical Habitat*, the Project site includes no United States Fish and Wildlife Service (USFWS)-designated critical habitat for plants.

C. Special-Status Wildlife

No Federal or State listed wildlife species were observed within the Project site during the 2024 field surveys. The 2024 survey results are consistent with prior surveys performed within the Project site in 2020. However, several have been documented within 10 miles of the Project (see Figure 4.2-2, *Special-Status Species Occurrences*). Additionally, as shown in Figure 4.2-3, *Critical Habitat*, the Project site includes no USFWS-designated critical habitat for wildlife.

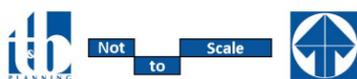
D. Wildlife

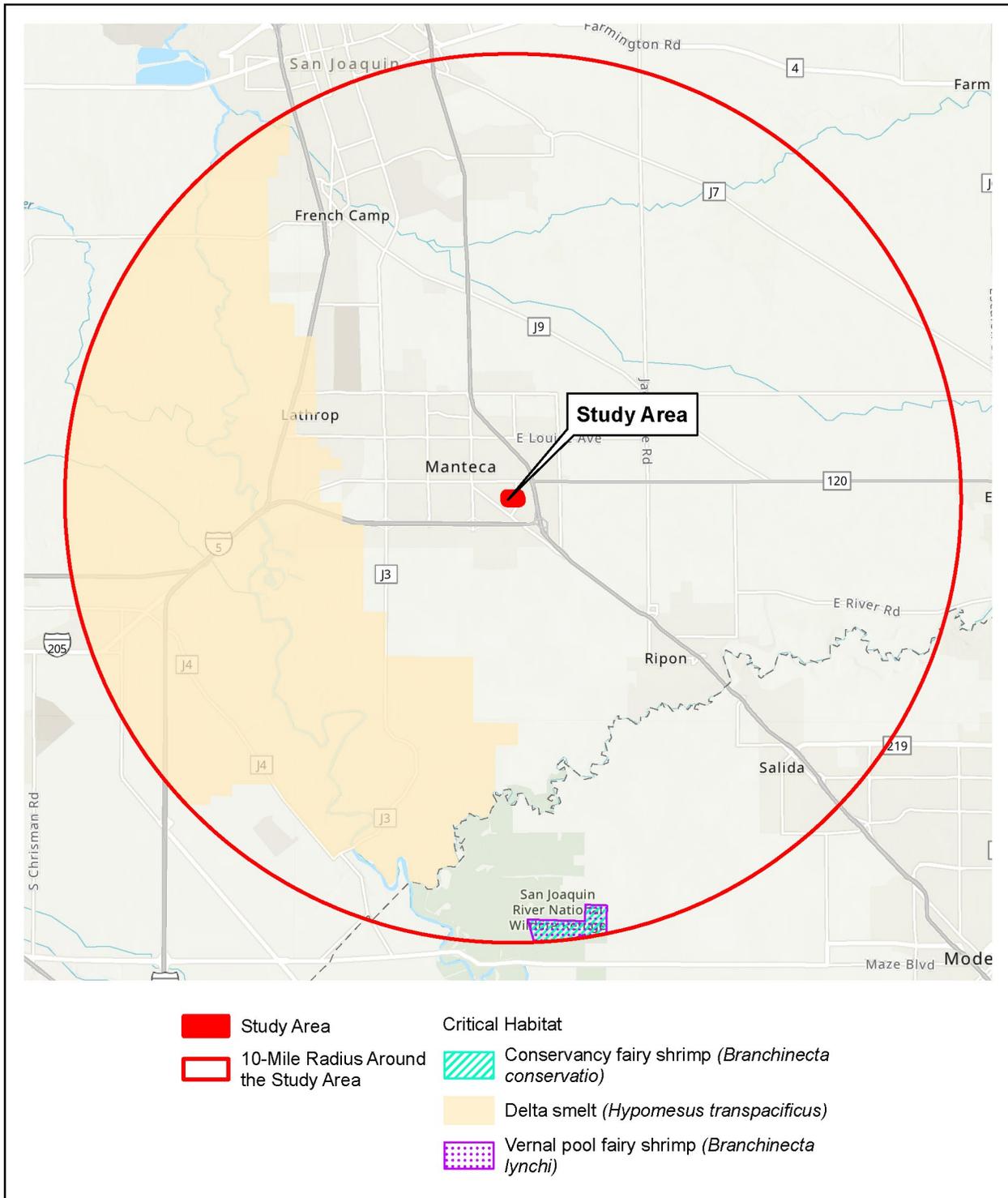
Wildlife species observed within the study area consisted of commonly-occurring species - including, but not limited to, Common raven (*Corvus corax*), Red-tailed hawk (*Buteo jamaicensis*), and European starling (*Sturnus vulgaris*).



Source(s): Noreas (September 2024)

Figure 4.2-2





Source(s): Noreas (September 2024)

Figure 4.2-3



Vegetation Map



E. Burrowing Owl

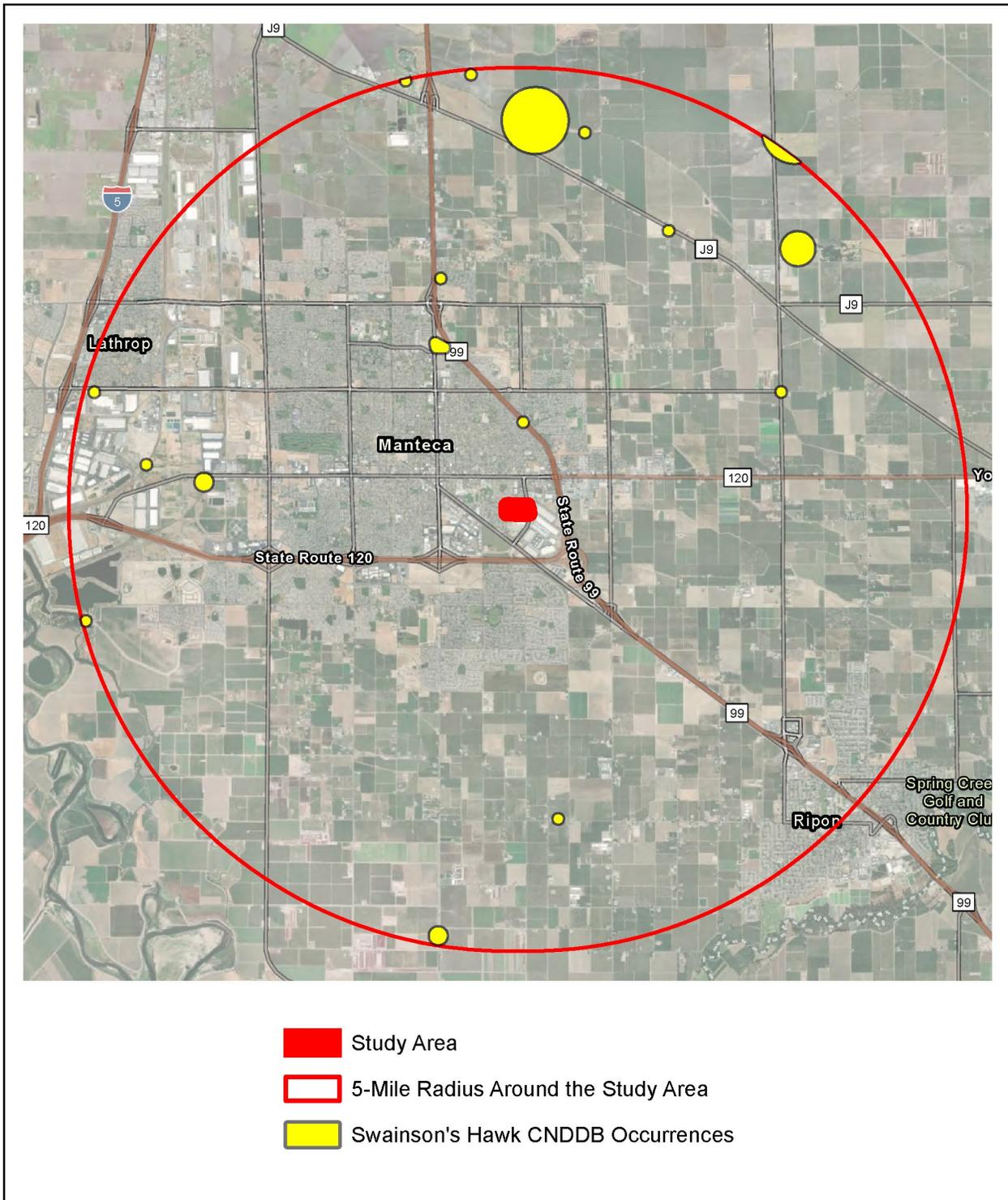
Burrowing Owls were not detected nesting, foraging, or dispersing within the study area during any of the survey events in 2024. Additionally, no potential burrows or burrow complexes were detected within the Project site. The lack of Burrowing Owl is likely a result of regular disking within the Project site, and the presence of owl predators (e.g., Common raven, and Red-tailed hawk). The 2024 survey results are consistent with prior owl surveys performed within the Project Site in 2020.

F. Swainson's Hawk

As shown in Figure 4.2-4, *Swainson's Hawk CNDDDB Occurrences*, no Swainson Hawk or Swainson Hawk nests were detected within a half mile of the Project site. Additionally, the Project site offers poor foraging habitat, being surrounded by urban development and provides limited food sources for hawks. Habitat degradation, caused by regular disking, has reduced prey availability, including small mammals, insects, and reptiles. Without these essential food sources, the Project site cannot support foraging Swainson's Hawk. The absence of water sources like rivers, streams, or ponds further reduces the likelihood of nesting within the Project site, particularly since there is no riparian vegetation, which Swainson's Hawks rely on for nesting. Furthermore, the high levels of human activity—such as regular disking, nearby vehicle traffic and construction—create disturbances that deter hawks from both nesting and foraging within the Project site. Taken together, these factors confirm that the Project site and surrounding areas lack the critical habitat elements required to support Swainson's Hawk populations for nesting or foraging.

G. Wetlands and Waterways

Based on literature review and field surveys, the Project site is characterized as upland habitat, since no surface waters, drainages, water conveyance features, riparian or riverine habitats, or obvious indicators of well-defined bed, bank or channel were detected. The soils, vegetation, signatures present, and topography suggest that the Project site lacks features which are typically subject to Clean Water Act and Fish and Game Code Section 1600 jurisdiction, or require the processing of a Waste Discharge Requirement pursuant to the California Water Code (Porter-Cologne Act). Furthermore, the National Wetland Inventory has no records of special aquatic resources within the Project site (see Figure 4.2-5, *National Wetland Inventory*).



Source(s): Noreas (September 2024)

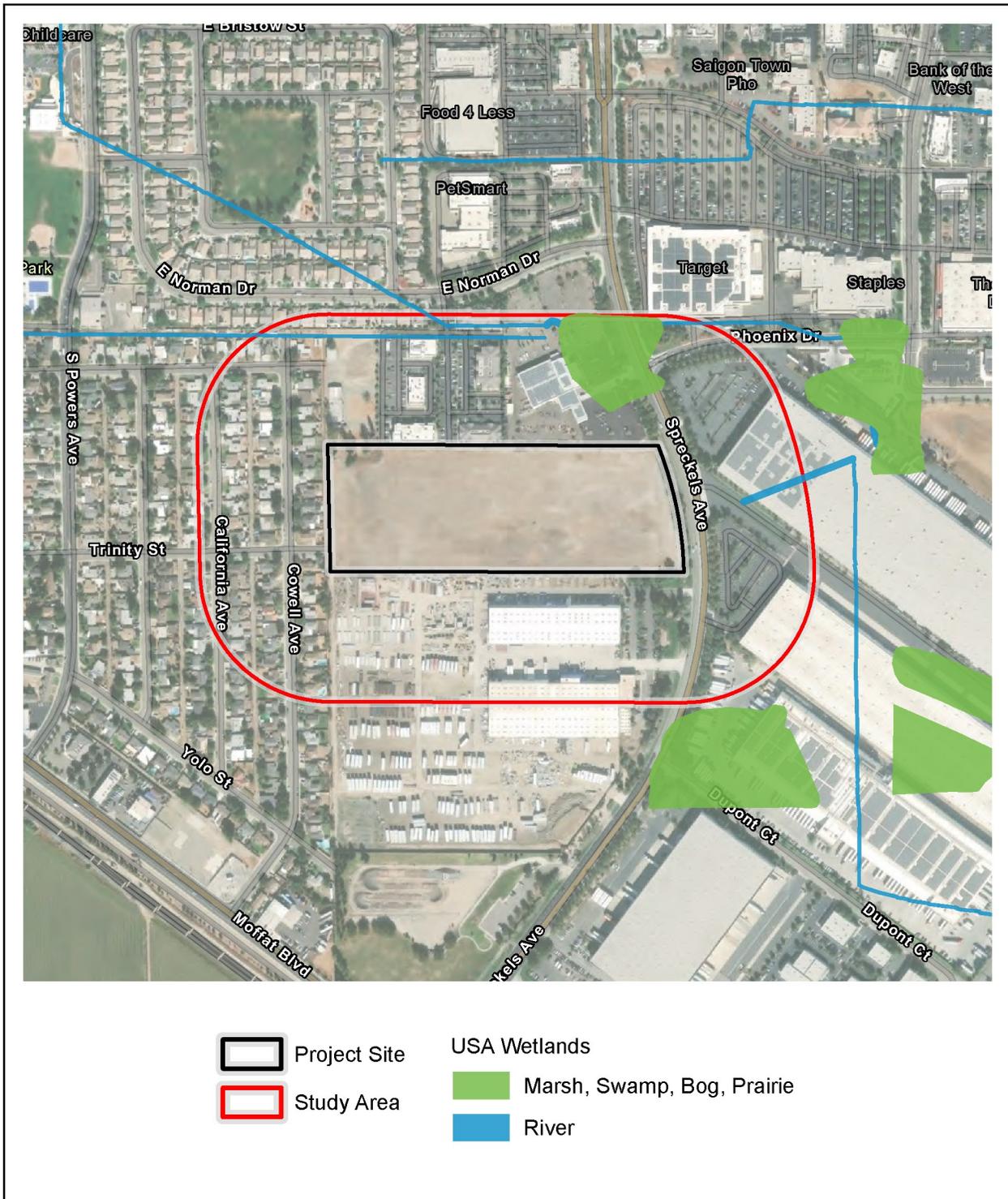
Figure 4.2-4



Not to Scale



Swainson's Hawk CNDDB Occurrences



Source(s): Noreas (September 2024)

Figure 4.2-5



Not to Scale



National Wetland Inventory

4.2.3 REGULATORY FRAMEWORK

A. *Federal*

1. *Endangered Species Act (ESA)*

The purpose of the federal ESA is to protect and recover imperiled species and the ecosystems upon which they depend. It is administered by the USFWS and the Commerce Department's National Marine Fisheries Service (NMFS). The USFWS has primary responsibility for terrestrial and freshwater organisms, while the responsibilities of NMFS are mainly marine wildlife such as whales and anadromous fish such as salmon. Under the ESA, species may be listed as either endangered or threatened. "Endangered" means a species is in danger of extinction throughout all or a significant portion of its range. "Threatened" means a species is likely to become endangered within the foreseeable future. All species of plants and animals, except pest insects, are eligible for listing as endangered or threatened.

The ESA makes it unlawful for a person to take a listed animal without a permit. Take is defined as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct." Through regulations, the term "harm" is defined as "an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering." Listed plants are not protected from take, although it is illegal to collect or maliciously harm them on federal land. Protection from commercial trade and the effects of federal actions do apply for plants.

Section 7 of the ESA requires federal agencies to use their legal authorities to promote the conservation purposes of the ESA and to consult with the USFWS and NMFS, as appropriate, to ensure that effects of actions they authorize, fund, or carry out are not likely to jeopardize the continued existence of listed species. During consultation, the "action" agency receives a "biological opinion" or concurrence letter addressing the proposed action. In the relatively few cases in which the USFWS or NMFS makes a jeopardy determination, the agency offers "reasonable and prudent alternatives" about how the proposed action could be modified to avoid jeopardy. It is extremely rare that a project ends up being withdrawn or terminated because of jeopardy to a listed species.

Section 10 of the ESA may be used by landowners including private citizens, corporations, tribes, states, and counties who want to develop property inhabited by listed species. Landowners may receive a permit to take such species incidental to otherwise legal activities, provided they have developed an approved habitat conservation plan (HCP). HCPs include an assessment of the likely impacts on the species from the proposed action, the steps that the permit holder will take to avoid, minimize, and mitigate the impacts, and the funding available to carry out the steps. HCPs may benefit not only landowners but also species by securing and managing important habitat and by addressing economic development with a focus on species conservation. (USFWS, 2017)



2. *Clean Water Act Section 401*

CWA Section 401 water quality certification provides states and authorized tribes with an effective tool to help protect water quality, by providing them an opportunity to address the aquatic resource impacts of federally issued permits and licenses. Under Section 401, a federal agency cannot issue a permit or license for an activity that may result in a discharge to waters of the U.S. until the state or tribe where the discharge would originate has granted or waived Section 401 certification. The central feature of CWA Section 401 is the state or tribe's ability to grant, grant with conditions, deny, or waive certification. Granting certification, with or without conditions, allows the federal permit or license to be issued consistent with any conditions of the certification. Denying certification prohibits the federal permit or license from being issued. Waiver allows the permit or license to be issued without state or tribal comment. States and tribes make their decisions to deny, certify, or condition permits or licenses based in part on the project's compliance with EPA-approved water quality standards. In addition, states and tribes consider whether the activity leading to the discharge will comply with any applicable effluent limitation guidelines, new source performance standards, toxic pollutant restrictions, and other appropriate requirements of state or tribal law.

Many states and tribes rely on Section 401 certification to ensure that discharges of dredge or fill material into a water of the U.S. do not cause unacceptable environmental impacts and, more generally, as their primary regulatory tool for protecting wetlands and other aquatic resources. However, Section 401 is limited in scope and application to situations involving federally-permitted or licensed activities that may result in a discharge to a water of the U.S. If a federal permit or license is not required, or would authorize impacts only to waters that are not waters of the U.S., the activity is not subject to the CWA Section 401. (EPA, 2023)

3. *Clean Water Act Section 404*

Section 404 of the CWA establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including wetlands. Wetlands subject to Clean Water Act Section 404 are defined as "areas that are 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. Wetlands generally include swamps, marshes, bogs, and similar areas." Activities in waters of the United States regulated under this program include fill for development, water resource projects (such as dams and levees), infrastructure development (such as highways and airports) and mining projects. Section 404 requires a permit before dredged or fill material may be discharged into waters of the United States, unless the activity is exempt from Section 404 regulation (e.g. certain farming and forestry activities). (EPA, n.d.)

The basic premise of the program is that no discharge of dredged or fill material may be permitted if: (1) a practicable alternative exists that is less damaging to the aquatic environment; or (2) the nation's waters would be significantly degraded. Applications for permits must, to the extent practicable: (1) demonstrate steps have been taken to avoid wetland impacts; (2) demonstrate that potential impacts on wetlands have been minimized; and (3) provide compensation for any remaining unavoidable impacts. Proposed activities are regulated through a permit review process. (EPA, n.d.)



An individual permit is required for potentially significant impacts. Individual permits are reviewed by the U.S. Army Corps of Engineers (USACE), which evaluates applications under a public interest review, as well as the environmental criteria set forth in the CWA Section 404(b)(1) Guidelines. However, for most discharges that will have only minimal adverse effects, a general permit may be suitable. General permits are issued on a nationwide, regional, or State basis for particular categories of activities. The general permit process eliminates individual review and allows certain activities to proceed with little or no delay, provided that the general or specific conditions for the general permit are met. States also have a role in Section 404 decisions, through state program general permits, water quality certification, or program assumption. (EPA, n.d.)

4. *Executive Order 11990 – Protection of Wetlands*

The purpose of Executive Order (EO) 11990 is to "minimize the destruction, loss or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands." To meet these objectives, the Order requires federal agencies, in planning their actions, to consider alternatives to wetland sites and limit potential damage if an activity affecting a wetland cannot be avoided (FEMA, 2025). The Order applies to:

- Acquisition, management, and disposition of federal lands and facilities construction and improvement projects which are undertaken, financed, or assisted by federal agencies;
- Federal activities and programs affecting land use, including but not limited to water and related land resources planning, regulation, and licensing activities.

The procedures require the determination of whether or not the project will be in or will affect wetlands. If so, a wetlands assessment must be prepared that describes the alternatives considered. The procedures include a requirement for public review of assessments. (FEMA, 2025)

5. *Migratory Bird Treaty Act (16 USC Section 703-712)*

The Migratory Bird Treaty Act (MBTA) makes it illegal for anyone to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, any migratory bird, or the parts, nests, or eggs of such a bird except under the terms of a valid permit issued pursuant to federal regulations. The migratory bird species protected by the MBTA are listed in 50 CFR 10.13. The USFWS has statutory authority and responsibility for enforcing the MBTA (16 U.S.C. 703-712). The MBTA implements Conventions between the United States and four countries (Canada, Mexico, Japan, and Russia) for the protection of migratory birds. (USFWS, n.d.)

B. State

1. *California Endangered Species Act*

The CESA states that all native species of fishes, amphibians, reptiles, birds, mammals, invertebrates, and plants, and their habitats, threatened with extinction and those experiencing a significant decline which, if not halted, would lead to a threatened or endangered designation, will be protected or



preserved. The California Department of Fish and Wildlife (CDFW) works with interested persons, agencies, and organizations to protect and preserve such sensitive resources and their habitats. CESA prohibits the take of any species of wildlife designated by the California Fish and Game Commission as endangered, threatened, or candidate species. CDFW may authorize the take of any such species if certain conditions are met.

Section 2081 subdivision (b) of the California Fish and Game Code (CFGF) allows CDFW to authorize take of species listed as endangered, threatened, candidate, or a rare plant, if that take is incidental to otherwise lawful activities and if certain conditions are met. These authorizations are commonly referred to as incidental take permits (ITPs).

If a species is listed by both the federal ESA and CESA, CFGF Section 2080.1 allows an applicant who has obtained a federal incidental take statement (federal Section 7 consultation) or a federal incidental take permit (federal Section 10(a)(1)(B)) to request that the Director of CDFW find the federal documents consistent with CESA. If the federal documents are found to be consistent with CESA, a consistency determination (CD) is issued and no further authorization or approval is necessary under CESA.

A Safe Harbor Agreement (SHA) authorizes incidental take of a species listed as endangered, threatened, candidate, or a rare plant, if implementation of the agreement is reasonably expected to provide a net conservation benefit to the species, among other provisions. SHAs are intended to encourage landowners to voluntarily manage their lands to benefit CESA-listed species. California SHAs are analogous to the federal safe harbor agreement program and CDFW has the authority to issue a consistency determination based on a federal safe harbor agreement. (CDFW, n.d.)

2. *Natural Community Conservation Planning Act (NCCP)*

CDFW's Natural Community Conservation Planning (NCCP) program takes a broad-based ecosystem approach to planning for the protection and perpetuation of biological diversity. The NCCP program began in 1991 as a cooperative effort to protect habitats and species. It is broader in its orientation and objectives than the California and Federal Endangered Species Acts, as these laws are designed to identify and protect individual species that have already declined in number significantly.

An NCCP identifies and provides for the regional protection of plants, animals, and their habitats, while allowing compatible and appropriate economic activity. Working with landowners, environmental organizations, and other interested parties, a local agency oversees the numerous activities that compose the development of an NCCP. CDFW and USFWS provide the necessary support, direction, and guidance to NCCP participants.

There are currently 17 approved NCCPs (including 6 subarea plans) and more than 9 NCCPs in various stages of planning (including 2 subarea plans), which together cover more than 8 million acres and will provide conservation for nearly 400 special status species and a wide diversity of natural community types throughout California. (CDFW, n.d.)



3. *California Fish and Game Code, Section 1600, et seq.*

CFGF section 1602 requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following: (1) substantially divert or obstruct the natural flow of any river, stream, or lake; (2) substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or (3) deposit debris, waste or other materials that could pass into any river, stream, or lake. The CFGF indicates that "any river, stream or lake" includes those that are episodic (they are dry for periods of time) as well as those that are perennial (they flow year-round). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water.

CDFW requires a Lake and Streambed Alteration (LSA) Agreement when it determines that the activity, as described in a complete LSA Notification, may substantially adversely affect existing fish or wildlife resources. An LSA Agreement includes measures necessary to protect existing fish and wildlife resources. CDFW may suggest ways to modify a project that would eliminate or reduce harmful impacts to fish and wildlife resources. Before issuing an LSA Agreement, CDFW must comply with CEQA. (CDFW, n.d.)

4. *Native Plant Protection Act (NPPA) of 1977*

The Native Plant Protection Act (NPPA) was enacted in 1977 and allows the Fish and Game Commission to designate plants as rare or endangered. There are 64 species, subspecies, and varieties of plants that are protected as rare under the NPPA. The NPPA prohibits take of endangered or rare native plants, but includes some exceptions for agricultural and nursery operations; emergencies; and after properly notifying CDFW for vegetation removal from canals, roads, and other sites, changes in land use, and in certain other situations. (CDFW, n.d.)

5. *Unlawful Take or Destruction of Nests or Eggs (CFGF Sections 3503.5-3513)*

Section 3503.5 of the CFGF specifically protects birds of prey, stating: "It is unlawful to take, possess, or destroy any . . . [birds-of-prey] or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Section 3513 of the CFGF duplicates the federal protection of migratory birds, stating: "It is unlawful to take or possess any migratory nongame bird as designated in the Migratory Bird Treaty Act or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Bird Treaty Act."

C. *Local*

1. *City of Manteca General Plan*

The General Plan identifies goals related to Resource Conservation in the Resource Conservation and Land Use Element. These goals and policies and a discussion of the Project's consistency are discussed in Table 4.9-2, *General Plan Consistency Analysis*, in EIR Section 4.9, *Land Use and Planning*, of this EIR.



2. City of Manteca Municipal Code

The City of Manteca Municipal Code identifies provisions that are intended to minimize adverse biological impacts associated with new development projects. Below are the regulations relevant to the Project.

- **Tree Trimming or Removal (Section 12.08.070).** No person shall cut, prune, remove, injure or interfere with any tree, shrub, or plant upon or in any street tree area or other public place in the City without prior permission and approval from the director.
- **Landscaping (Chapter 17.48)** The purpose of this Chapter is to establish minimum landscape standards to enhance the appearance of developments, control on-site erosion, minimize heat and glare, and require landscaping for qualifying expansions to existing developments, structures, and changes in uses. Additionally, this Chapter provides for ongoing maintenance of landscape areas and the promotion of water conservation, while supporting retention of healthy existing mature trees to contribute to individuals' enjoyment of property, property value, health, and overall aesthetics and quality of life in the City.

4.2.4 BASIS FOR DETERMINING SIGNIFICANCE

Section IV of Appendix G to the CEQA Guidelines addresses typical adverse effects to biological resources, and includes the following threshold questions to evaluate the Project's impacts to biological resources:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;*
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service;*
- Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;*
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;*
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance;*
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.*



4.2.5 METHODOLOGY

A. *Pedestrian Field Survey*

Pedestrian-based field surveys were performed on April 15, June 14 and July 11, 2024 to assess land cover, general and dominant vegetation communities, habitat types, and species present within communities. Community descriptions were based on observed dominant vegetation composition and derived from the criteria and definitions of widely accepted vegetation classification systems. Plants were identified to the lowest taxonomic level sufficient to determine whether the species observed were non-native, native, or special-status. Plants of uncertain identity were subsequently identified from taxonomic keys. The presence of a wildlife species was based on direct observation or detection of wildlife sign (e.g., tracks, burrows, nests, scat, skeletal remains or vocalization). Field data compiled for wildlife species included scientific name, and common name. Wildlife of uncertain identity were documented and subsequently identified from specialized field guides and related literature.

Field surveys were also conducted in October 2024 by NOREAS arboricultural and botanical staff; under the auspices of an International Society of Arboriculture Certified Arborist. Pedestrian-based field census consisted of surveying the entire study area with transects and recording the location of any appropriately sized species by means of a handheld global positioning system. Specimens were identified to the lowest taxonomic level sufficient to determine whether the tree observed was non-native, native, or special-status. Survey methods were derived from generally accepted published regional procedures. The cumulative diameter of trees detected within the Project site was measured at 4.5 feet above the ground level at the base of the tree. Diameter at breast height (DBH) was measured with a 3/8" x 50' Auto-Rewind Diameter Tape Measure w/ Nylon Coated Blade.

B. *Focused Assessment*

Additional surveys and assessments specifically targeted certain species of nesting birds and raptors (e.g., Burrowing Owl and Swainson's Hawk), small mammals (i.e., San Joaquin Kit Fox), Crotch's bumblebee (insect), and wetlands and waterways. It is crucial to note the ecological interconnections present among these species, therefore, even those species not directly surveyed share habitats with the targeted species. This overlap is due to similarities in the vegetation communities and land cover types that cater to multiple species, both common and special status alike. Furthermore, many birds and annual plants share synchronized breeding and blooming cycles. Consequently, while assessments might have been focused on a specific species, the very nature of shared habitats and life cycles means that the comprehensive surveys and assessments within the Project site would inherently detect and account for a broader spectrum of species. Hence, any species that shares habitat, reproductive or blooming cycles with the targeted species, would have been detected during the 2024 surveys.

C. *Burrowing Owl*

Survey methods for Burrowing Owl (*Athene cunicularia*) were derived from generally accepted professional standards, including – but not limited to, the 1993 California Burrowing Owl Consortium Survey Protocol and Mitigation Guidelines, the 1995 and 2012 California Department of Fish and Game Staff Reports on Burrowing Owl Mitigation. Detailed Burrowing Owl survey methods, results,



and assumptions are presented within Appendix E of the Biological Assessment (*Technical Appendix C1* of this EIR).

D. Swainson's Hawk

Survey methods for Swainson's Hawk (*Buteo swainsoni*) were derived from generally accepted professional standards including the 2000 Recommended Timing and Method for Swainson's Hawk Nesting Surveys in California's Central Valley. Surveys were conducted in a manner that maximized the potential to observe adult Swainson's Hawks, as well as their nests and chicks. Census activities were conducted within a ½ mile of the Project site. All avian species detected were noted. When a raptor was detected, either binoculars or a spotting scope was employed to identify the species. Behavior was also noted. Additionally, this evaluation included a review of the species natural history and field work assessed the Project site to determine if it contained the essential habitat elements needed to provide the necessary physical and biological features required to support the survival and reproduction of the species. A literature review of the known Swainson's Hawk nests within 5 miles of the study area was also performed.

E. Crotch's Bumblebee

Survey methods for Crotch's Bumblebee (*Bombus crotchii* – [CBB]) were derived from generally accepted professional standards. Evaluation methods for assessing the suitability of the Project site for CBB involved a thorough site visit to determine the presence of essential habitat elements. This approach included examining whether the Project Site had suitable nesting conditions and assessing the availability of diverse nectar and pollen resources critical for CBB colony development. The assessment also considered the Project's isolation from natural habitats that could support CBB and evaluated the surrounding landscape's composition and proximity to determine the likelihood of CBB occurrence.

F. San Joaquin Kit Fox

Survey methods for San Joaquin Kit Fox (*Vulpes macrotis mutica*) focused on the presence of essential features required for the survival and reproduction of the species within the Project site. This assessment also included slowly and methodically inspecting the Project site for drainages, wildlife trails, water sources, potential wildlife corridors, waterway crossings, and other micro-habitats that could encourage species visitation.

G. Evaluation of Wetlands and Waterways

The Project site was examined to assess the presence of an ordinary highwater mark (OHWM), hydrophytes, distinct soils, riparian and riverine resources, lakes, rivers, streambeds, surface waters and wetlands, vernal pools, discernable bed and bank signatures, aquatic resources, or evidence of a change in vegetation type, density, or vigor. These field surveys were performed to map waters potentially regulated by the USACE, Regional Water Quality Control Board (RWQCB), and streambeds and associated riparian habitat as regulated by the CDFW. This evaluation was completed



using data acquired from current and historic imagery, hydrologic databases, analytic tools, and physical on the ground analyses and measurements by subject matter experts.

4.2.6 IMPACT ANALYSIS

Threshold a: *Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*

As discussed above, no special-status plants or animals were detected at the Project site. Therefore, implementation of the Project would not result in any impacts to any other special status plants or animal species.

A. Swainson's Hawk

As discussed above, no Swainson Hawk or Swainson Hawk nests were detected within a half mile of the Project Site. Additionally, the Project site and surrounding areas lack the critical habitat elements required to support Swainson's Hawk populations for nesting or foraging. Therefore, no impacts to Swainson Hawk would occur.

B. Crotch's Bumblebee

The Project site lacks the essential habitat elements required for the survival and reproduction of CBB. It is not reasonable to expect this Project site to support a CBB population. This determination is based on the following:

- **Lack of Suitable Nesting Conditions and Foraging Habitat:** The Project site lacks suitable nesting conditions (such as abandoned rodent burrows) due to regular disking. Additionally, CBB relies heavily on native flowering plants for foraging. In this case, the dominance of non-native species such as Maltese star-thistle, stinknet, cheeseweed, ripgut brome, Sahara mustard and Schismus within the Project site significantly reduces the availability of the native plants that provide essential nectar and pollen. Without the availability of nectar-producing plants on the Project site, it does not provide sufficient floral resources for feeding and nesting.
- **Disturbed and Degraded Habitat:** The CBB prefers open scrub, grasslands, and sage scrub that offer a diversity of flowering plants and undisturbed soil for nesting. The highly disturbed Project site and surrounding urban landscape lack a noteworthy population of native plants, without the availability of nectar-producing plants on the Project site, it is unlikely to provide the necessary conditions for nesting, overwintering, or foraging.
- **Fragmented and Limited Native Vegetation:** The limited availability of native plant species within the Project site, results in a lack of nectar-producing plants and reduces the



likelihood that CBB would be present, or able to establish a foraging area in such a fragmented environment.

- **Proximity to Higher-Quality Habitat:** Since the Project site and surrounding areas are disturbed and developed, and lack nectar-producing plants; therefore, CBB will not be able to establish a viable population, since it depends on connectivity to larger, intact habitats with the resources it needs. This Project site is isolated from high-quality foraging and nesting areas, therefore the chances of CBB utilizing the site are negligible

In conclusion, the combination of a disturbed and regularly disked environment, amount of non-native vegetation, lack of suitable nesting sites, and limited foraging opportunities due to the lack of native and nectar-producing plants would make the Project site unlikely for CBB to be present. The physical and biological features necessary for survival and reproduction for CBB include suitable nesting conditions, and a diverse range of nectar and pollen resources from specific native plant species. These resources must be successively available throughout the various seasons to support colony development. Given these conditions, the lack of diverse and durable native nectar species, combined with the Project site's isolation from more suitable habitats, renders the Project inadequate for supporting CBB. Therefore, no impacts to CBB would occur.

C. San Joaquin Kit Fox

This assessment has determined that the Project site is unsuitable for supporting the San Joaquin Kitfox due to the absence of critical habitat features necessary for its reproduction and survival. First, the Project site lacks suitable denning locations due to regular disking. Kitfoxes rely heavily on dens for shelter, protection, and raising their young. These dens are typically burrows dug by the foxes themselves or by other species. The Project site lacks any visible natural or artificial burrows that could serve as denning sites, making it highly unlikely for the kitfox to establish or maintain a presence. Additionally, the Project site fails to provide adequate foraging habitat. Kitfoxes are dependent on open grasslands or scrublands with abundant small mammals, such as kangaroo rats or ground squirrels, as their primary prey. The Project site has a negligible number of small mammals and is instead characterized by heavily disturbed land and unsuitable land cover, which does not support a robust prey base. As a result, there is insufficient food availability to sustain kitfox populations. Moreover, the lack of movement corridors further reduces the habitat's suitability. Kitfoxes require large, unfragmented landscapes to move freely between denning and foraging areas. The Project site is isolated due to surrounding development, restricting the ability of kitfoxes to move across the landscape and access the resources they need to survive. Finally, the absence of low-growing vegetation compounds the Project site's unsuitability. Kitfoxes use low shrubs and grasses for cover while hunting and avoiding predators. The current land cover within the Project site provides inadequate concealment, leaving kitfoxes vulnerable and reducing the chances of successful foraging and predator evasion. Due to the lack of suitable dens, insufficient foraging habitat, absence of movement corridors, and inadequate vegetative cover, the Project site does not provide the physical and biological features necessary for the successful reproduction and survival of the San Joaquin Kitfox. Therefore, no impacts to San Joaquin Kitfox would occur.



D. Burrowing Owl

As previously discussed, focused surveys conducted on site did not identify the presence of any burrowing owls. Therefore, there is no presumption that Project implementation would result in the loss of individual Burrowing Owls, or that it would adversely affect local or regional populations of them

Threshold b: Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?

As discussed above, there are no surface waters, drainages, water conveyance features, riparian or riverine habitats that occur within the Project site. Therefore, the Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS. No impact to riparian habitat or other sensitive natural community would occur.

Threshold c: Would the Project have substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

As discussed above, the National Wetland Inventory has no records of special aquatic resources within the Project site. Therefore, implementation of the Project would not have substantial adverse effect on State or federally protected wetlands and no impact would occur.

Threshold d: Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

The Project site lacks wildlife nursery sites and sufficient habitat features to support colonies of nesting birds or large numbers of roosting bats. The regular disking of the Project site's non-native, developed, and disturbed land cover has substantially decreased its value as suitable breeding, nesting, and foraging habitat for native species. Existing site conditions greatly reduce its value as a migration or dispersal habitat for native wildlife due to the severe constraints imposed by the surroundings residential homes, busy thoroughfares, commercial and industrial land uses. This situation underscores the Project's limited ecological function within the broader landscape. In conclusion, the Project site presents a unique scenario as an anthropogenic biome, deeply influenced and shaped by extensive human activities for over a century. This extensive development and disturbance regime have resulted in the creation of a location where sensitive biological resources, special-status species, or similar ecological concerns are notably absent. Consequently, no impact to wildlife nursery sites would occur.

The Project has the potential to impact active bird nests if vegetation is removed during the nesting season. Impacts to nesting birds are prohibited by the MBTA and CFGC. However, although impacts



to native birds are prohibited by MBTA and similar provisions of CFGC, impacts to native birds by the Project would not be a significant impact under CEQA. The native birds with potential to nest on the Project site would be those that are extremely common to the region and highly adapted to human landscapes (e.g., house finch, killdeer). The number of individuals potentially affected by the Project would not significantly affect regional, let alone local populations of such species. Furthermore, the extent of avian breeding at the Project site does not constitute a “nursery site,” which are sites where wildlife concentrate for hatching and/or raising young, such as rookeries, spawning areas, and bat colonies. This degree of breeding does not apply to the Project site. Moreover, the Project site and site conditions have been reviewed by SJCOG and conditions were proposed by SJCOG. These conditions will be made of part of the Project’s Conditions of Approval to further ensure compliance with MBTA. Notwithstanding, because the Project has the potential to impact active nests regulated by the MBTA and CFGC, to be conservative Project impacts to nesting birds is determined to be a potentially significant impact of the Project.

Threshold e: Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

There are a total of 19 trees onsite, most of which are non-native or ornamental species. The Project would require the removal of existing trees on-site and protect in place the existing trees at the project frontage. The City of Manteca Municipal Code does not specifically identify protected tree types. However, removal of trees would be required to comply with all provisions set forth in Manteca Municipal Code Section 12.08.070, Tree Trimming or Removal, and Section 17.48.060, Landscape Care, Maintenance, and Replacement. Prior to the removal of any tree, the Community Development Director's approval would be required. Therefore, the Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Impacts would be less than significant.

Threshold f: Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

As discussed above, the Project site is located within the boundaries of the SJMSCP. On February 5, 2001, the City of Manteca adopted the SJMSCP. The SJMSCP covers 97 fish, plant, and wildlife species which are afforded varying degrees of protection under CEQA, the California Endangered Species Act, the U.S. Endangered Species Act, the MBTA, and other local, State, and federal regulations. Manteca Municipal Code Chapter 13.40 requires project applicants to pay applicable development fees to fund implementation of the SJMSCP. However, as demonstrated in General Plan EIR Figure 6-2, the Project site is in an area designated as Category A: Exempt (Urban/Developed Lands). Considering the developed nature of the area surrounding the Project site, development of the Project would not influence an area of concern under the SJMSCP. Therefore, the Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan and impacts would be less than significant.



4.2.7 CUMULATIVE IMPACT ANALYSIS

This cumulative impact analysis for biological resources considers development of the Project site in conjunction with other development projects in the vicinity of the Project area, in addition to the boundaries of the SJMSCP unless modified based on the range of specific species being affected.

As indicated in the analysis of Threshold a, the Project would not result in any significant impacts to special-status wildlife species. The Project would not combine with other projects to result in a significant cumulative impact. Therefore, impacts are not considered cumulatively considerable.

As indicated under the analysis of Threshold b, the Project also would not result in any significant impacts to riparian habitat. Therefore, Project impacts to riparian habitat or other sensitive natural community would be less than significant on a cumulatively-considerable basis.

As indicated under the analysis of Threshold c, the Project would not impact any State or federally protected wetlands, and as such cumulatively-considerable impacts to wetlands would not occur. As other developments within the region also have the potential to result in impacts to drainages regulated by the Corps, Regional Board, and/or CDFW, Project impacts would be significant on a cumulatively considerable basis.

Although the Project would not impact any migratory wildlife corridors or nursery sites, the Project does have the potential to result in impacts to nesting birds that may occupy the Project site prior to the commencement of construction activities. As other cumulative developments also be required to comply with the CFGC and the MBTA, Project impacts would not be cumulatively considerable.

As indicated under the analysis of Threshold e, the Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Other development projects in the cumulative study area would be required to comply with applicable local policies and/or ordinances related to the protection of biological resources as a standard condition of review/approval. Because the Project and cumulative development would be prohibited from violating applicable, local policies or ordinances related to the protection of biological resources, a cumulatively considerable impact would not occur.

As indicated under the analysis of Threshold f, the Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. All projects within the SJMSCP Area must comply with the requirements of the SJMSCP. As with this Project, related projects would be required to address site-specific impacts to biological resources, and implement site-specific mitigation. Therefore, a cumulatively considerable impact would not occur.



4.2.8 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold a: Less than Significant Impact. The Project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations.

Threshold b: No Impact. The Project site does not contain any riparian habitat or other sensitive natural community. No impact would occur.

Threshold c: No Impact. The Project site does not contain any State- or federally-protected wetlands, and therefore the Project would not impact wetlands. No impact would occur.

Threshold d: Potentially Significant Direct Impact. There is no potential for the Project to interfere with the movement of fish or impede the use of a native wildlife nursery. However, the Project has the potential to impact nesting migratory birds protected by the MBTA and CFGC, should habitat removal occur during the nesting season and should nesting birds be present. This is evaluated as a potentially significant impact.

Threshold e: Less than Significant Impact. The Project requires the removal of existing trees onsite; however, the Project would be required to comply with the City's Municipal Code. Thus, impacts would be less than significant.

Threshold f: Less than Significant Impact. The Project site is located within the boundaries of the SJMSCP; however, it is not located in an area of concern under the SJMSCP. Therefore, impacts would be less than significant.

4.2.9 MITIGATION

MM 4.2-1 **Migratory / Nesting Bird Survey and Protection.** To maintain compliance with the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503, 3503.5, and 3513, site preparation activities (such as ground disturbance, construction activities, and/or removal of trees and vegetation) should be conducted, to the greatest extent possible, outside of the nesting season (February 1 through September 15). If avoidance of the nesting season is not feasible, then a qualified biologist shall conduct a pre-construction nesting bird survey within three days prior to any disturbance to the Project site. If active nests are identified, the biologist shall establish appropriate avoidance buffers around the nest (based on the species detected), and the buffer areas shall be avoided until the nests are no longer occupied (through routine nest monitoring by the qualified biologist) and the juvenile birds can survive independently from their nest(s). In addition, if portions of the Project site have not been disturbed within three days after the initial nesting bird survey, additional nesting bird surveys will be conducted (within the nesting bird season, February 1 to September 15) until all portions of the Project site have been disturbed appropriately (as determined by a qualified biologist) as to not provide potential nesting habitat.



4.2.10 SIGNIFICANCE OF IMPACTS AFTER MITIGATION

Threshold d: Less than Significant with Mitigation Incorporated. Implementation of Mitigation Measure MM 4.2-1 would ensure that pre-construction surveys are conducted for nesting birds. If nesting birds are present on the Project site, mitigation requires avoidance of active nests. With implementation of the required mitigation, potential impacts to nesting birds would be reduced to below a level of significance.



4.3 CULTURAL RESOURCES

The analysis in this Section is based, primarily, on the cultural resources assessment report prepared by Applied EarthWorks, Inc. (hereafter, “AE”). The referenced AE report is titled “Cultural Resources Study for the Spreckels Distribution Center, City of Manteca, San Joaquin County, California,” dated August 2024 (AE, 2024a), and is included as *Technical Appendix D* to this EIR. Refer also to Section 4.12, *Tribal Cultural Resources*, of this EIR, for additional information on the ethnohistoric setting and tribal cultural resources. Additional references used for this Section are listed in Section 7.0, *References*.

Confidential information has been redacted from *Technical Appendix D* for purposes of public review. In addition, much of the written and oral communication between Native American tribes, the City of Manteca, and AE is considered confidential in respect to places that may have traditional tribal cultural significance (Government Code Section 65352.4), and although relied upon in part to inform the preparation of this EIR Section, those communications are treated as confidential and are not available for public review. Under existing law, environmental documents must not include information about the location of archeological sites or sacred lands or any other information that is exempt from public disclosure pursuant to the Public Records Act (California Code of Regulations Section 15120(d)).

4.3.1 NOP/SCOPING MEETING COMMENTS

A Notice of Preparation (NOP) for the Project was released for public review on December 6, 2024, and an EIR Scoping meeting was held on December 12, 2024. No comments were made during the EIR Scoping Meeting that pertain to cultural resources. Additionally, no comments related to cultural resources were received during the public scoping period.

4.3.2 EXISTING CONDITIONS

A. *Cultural Setting*

Despite decades of archaeological research in the San Joaquin Valley, the prehistory of the region remains poorly understood due to many of the sites thought to have been destroyed by agricultural development and erosion. Nevertheless, archaeological assemblages within the San Joaquin Valley show significant variation, reflecting influences from both the Sacramento–San Joaquin Delta area and southern California. Time-sensitive artifacts, obsidian hydration measurements, radiocarbon dates, and the results of ethnographic research have shown that the Central Valley was inhabited by native peoples (perhaps as early as 13,500 years ago) over a span of many millennia, culminating in the late precontact and protohistoric occupation of the area by the Yokuts and Central Miwok.

1. *Paleo-Indian (circa 11,9500–11,000 B.P.)*

Human occupation in central California dates to at least the terminal Pleistocene, or almost 12,000 years ago. The most substantial evidence from this period has been found in the southern portion of the San Joaquin Valley along the shores of Pleistocene-era Buena Vista, Kern, and Tulare lakes. Unlike the southern edges of the valley and the surrounding Cascades and Sierra Nevada foothills, the northern



parts of the valley have not produced evidence of early habitation. Most Paleo-Indian sites in California represent the remains of single-use encampments, and their assemblage of temporally diagnostic artifacts is generally limited to one or two fluted and basally thinned projectile points. Two Clovis points were recovered from Twain Harte, California approximately 58 miles northeast of the Project area. The finds date to 11,900–11,400 calibrated Before Present (B.P.) Discoveries of isolated fluted points at the Skyrocket Site near Copperopolis 32 miles northeast of the Project area, and other Sierran locations, as well as in the west side of the valley near Hills Ferry at the Woolfson Mound support the notion that Paleo-Indian hunters periodically visited the upper slopes of the Sierra Nevada and might have settled at favored locations in the lower foothills.

2. *Early Holocene (circa 11,000–7000 B.P.)*

The Early Holocene is marked by a transition to warmer and dryer conditions. Archaeological sites yielding material dating to this period are more common and show a clear reliance on plant foods. Milling tools are one of the most commonly reported artifact classes from Early Holocene sites in central California. Site assemblages are dominated by handstones and milling slabs along with a high density of expedient cobble-based pounding, chopping, and scraping tools. It is believed that in central California nut crops were an important part of the Early Holocene economy. Such components have been found at the Skyrocket Site and at the Clarks Flat Site above the New Melones Reservoir approximately 38 miles northeast of the Project area.

3. *Middle Holocene (circa 7000–4000 B.P.)*

Middle Holocene components dating between 7000 and calibrated 4000 B.P. are relatively rare, and little is known about precontact lifeways during this interval. Assemblages dating to this period at the Texas Charley Site, Skyrocket Site, and at the Black Creek Site near Copperopolis indicate that certain small corner-notched and stemmed dart point types were commonly used. Handstones and milling slabs are the preferred plant processing tools and populations appear to be highly mobile. This diversification began with a higher emphasis on seed production, with continued hunting and eventually fishing. Later, a shift in diet to a greater reliance on acorns and pine nuts as a dietary staple is evidenced by an increase in bedrock mortars, milling slabs and pestles. The ground stone tools were better adapted to the processing of acorns, leading to a noted decrease in handstones and metates which were primarily used for grinding wild grass grains and seeds. Artifacts recovered from archaeological sites near the delta of the Sacramento and San Joaquin rivers provides evidence for human occupation circa 5000 B.P. The frequency of dart points in the Middle Archaic assemblages demonstrates that hunting remained an important dietary component.

4. *Late Holocene (6000–800 B.P.)*

While settlement behavior appears to remain relatively the same to that of the Early Holocene in the central Sierra Nevada, as early as about 6000 cal B.P. there is a significant change in the lifeways on the valley floor as demonstrated by changes in the plant processing technology and residential mobility. At about this time, there is evidence for increasing residential stability in the valley and adjacent foothills; large settlements occur adjacent to emerging freshwater marshes and riparian habitats.



Cemetery populations appear circa 5000 cal B.P. as well as increasingly diverse assemblages containing nonutilitarian items like charmstones, shell beads, and obsidian from more distant sources. By the end of the Middle Holocene, there is greater evidence of regionally specific cultural traditions, such as the Windmill culture, recognized in sites surrounding the Sacramento Delta and near the confluence of the Mokelumne and Cosumnes rivers.

By roughly 500 years ago, residential hamlets were present throughout the foothills of the Sierra Nevada, characterized by well-developed midden deposits with abundant obsidian debitage, dietary remains and Desert Series arrow points and ground stone tools, and the presence of bedrock milling stations. The numerous buried earthen house floors, fire-altered rock, milling slabs, and handstones suggest that these sites were used for long-term habitation. Trade relationships with peoples to the east and west are reflected by large quantities of shell beads and ornaments and obsidian acquired from both the North Coast Ranges and the Bodie Hills vicinity. In late prehistory, there are “larger populations, more sedentism, tighter spatial clustering of settlements, and higher levels of both intra- and intersite organization than in any earlier period.” Middens contain Desert Side-notched, Cottonwood Triangular, and Gunther barbed points, steatite disk beads and cooking vessels, manos, milling stones, bedrock mortars, and a variety of expedient flake tools.

B. Historical Setting

Early settlement of the area that would become the City of Manteca began sometime between 1858 and 1865 by mineral speculators, agricultural farmers, and livestock and dairy ranchers. One of the most prominent members of this fledgling community was Joshua Cowell, who arrived in 1863. Cowell and his brothers established a farm in the area, north of the Stanislaus River and east of the San Joaquin River, where he began cultivating barley and wheat. This venture proved to be unsuccessful, so Cowell turned to the cultivation of rye, as well as dairy farming. When the Southern Pacific Railroad arrived, Cowell gave the company a portion of land to erect a small station and freight platform. The station was first named “Cowell Station,” but due to confusion with his brother’s nearby “Cowell Warehouse,” the station was renamed “Manteca.” Along with the establishment of the railroad, Cowell constructed Manteca’s first bank, and after the community’s formal incorporation in 1918, he served as the City’s first mayor. Refer to Section 2.4 in *Technical Appendix D*, of this EIR, for a more detailed discussion of the local historic setting.

Coinciding with the incorporation of Manteca in 1918 was the opening of the Spreckels Sugar Company mill. The company was one of the City’s largest employers during the early to mid-twentieth century and continued to contribute to its economic wealth until its closure in 1996. The construction of the Spreckels Sugar Mill (“sugar mill”) allowed growers to process sugar locally and incentivized the Tidewater Southern Railroad to lay a branch line to the plant site. The closing of the mill, along with several other canneries, led to a period of slower population growth, unemployment, and an economic downturn for the City of Manteca, which was only exacerbated by the stock market crash of 1929. The sugar mill was eventually reopened in the mid-1930s, and the Spreckels Sugar Company expanded again with the construction of the Woodland Factory in 1936. At the onset of World War II, agricultural production of sugar significantly dropped, and the sugar mill was closed a second time.



The mill's machine shop was converted into a production plant for the United States Navy, while existing warehouses were used for naval supply storage.

The sugar resumed operations in 1946 and was running at full operation again by 1948, continuing to serve as a major employer for the City. By 1980, the Spreckels Sugar Company was the main supplier of liquid sugar for Coca-Cola, Pepsi, and Shasta. When liquid sugar was replaced with cheaper high fructose corn syrup, Spreckels Sugar switched production to supplying powdered sugar for large-scale confectioners and bakeries. The sugar mill continued operations until 1996, when prolonged droughts, offshore subsidized sugar, and tighter air quality regulations pushed sugar production to states like Texas, Louisiana, and Alabama. The sugar mill closed its doors on January 9, 1996, resulting in the loss of 110 full time and 120 seasonal employees. The main building of the plant and the outbuildings were shuttered the following year. The four 15-story-tall sugar silos were demolished in 1997 for development of a large industrial, business, commercial, and residential project known as "Spreckels Park".

C. Project Site Conditions

AE performed an archaeological records search through the Central California Information Center (CCAIC) of the California Historic Resources Information System (CHRIS) at California State University, Stanislaus to identify any previously recorded cultural resources within the Project area and surrounding 0.25-mile search radius. The record search reported four cultural resources studies have occurred within the Project site; but no cultural resources have been identified. Within the 0.25-mile Project site search radius, no previously recorded cultural resources or previous cultural studies have been reported.

An intensive archeological pedestrian survey was conducted of the Project site. Ground visibility ranged from 0 to 90 percent within the Project site, which was covered in recently sprouted native and nonnative forbs and grasses. Ground visibility was best (approximately 75–90 percent) in the northern third of the Project area. Evidence of discing was observed across the field. Soils were a light brown sandy loam with mostly introduced gravels of quartz, basalt, and granite. No access roads were observed.

A moderate amount of modern refuse was observed scattered across the field. Historic and possible historic fragments of cement, salt-glazed pipe, ferrous metal, brick, and asphalt also were noted throughout the Project site. No artifacts were found near the conifers despite the good ground visibility in this area. No precontact archaeological sites or features were identified during the survey. There was a wedge-shaped yellow brick with "CARNEGIE" imprinted on the side and isolated debris as a cultural resource isolate on a California Department of Parks and Recreation (DPR) site record form under the temporary number AE-4603-ISO-01. There were four mature ornamental and nonnative conifers within the northwest corner of the Project site, which may have been intentional landscaping of the sugar mill. The historic footprint of the sugar mill, the isolated brick and other debris, and the remnant historic landscaping are all within the Project site.



4.3.3 REGULATORY FRAMEWORK

A. *Federal*

1. *National Historic Preservation Act*

The National Historic Preservation Act of 1966 (NHPA) was passed primarily to acknowledge the importance of protecting our nation's heritage. While Congress recognized that national goals for historic preservation could best be achieved by supporting the drive, enthusiasm, and wishes of local citizens and communities, it understood that the federal government must set an example through enlightened policies and practices. In the words of the Act, the federal government's role would be to "provide leadership" for preservation, "contribute to" and "give maximum encouragement" to preservation, and "foster conditions under which our modern society and our prehistoric and historic resources can exist in productive harmony."

NHPA and related legislation sought a partnership among the federal government and the states that would capitalize on the strengths of each. The federal government, led by the National Park Service (NPS) provides funding assistance; basic technical knowledge and tools; and a broad national perspective on America's heritage. The states, through State Historic Preservation Officers (SHPOs) appointed by the governor of each state, would provide matching funds, a designated state office, and a statewide preservation program tailored to state and local needs and designed to support and promote state and local historic preservation interests and priorities.

An Advisory Council on Historic Preservation (ACHP), the first and only federal entity created solely to address historic preservation issues, was established as a cabinet-level body of Presidentially-appointed citizens, experts in the field, and federal, state, and local government representatives, to ensure that private citizens, local communities, and other concerned parties would have a forum for influencing federal policy, programs, and decisions as they impacted historic properties and their attendant values.

Section 106 of NHPA granted legal status to historic preservation in federal planning, decision-making, and project execution. Section 106 requires all federal agencies to take into account the effects of their actions on historic properties and provide ACHP with a reasonable opportunity to comment on those actions and the manner in which federal agencies are taking historic properties into account in their decisions.

A number of additional executive and legislative actions have been directed toward improving the ways in which all federal agencies manage historic properties and consider historic and cultural values in their planning and assistance. Executive Order 11593 (1971) and, later, Section 110 of NHPA (1980, amended 1992), provided the broadest of these mandates, giving federal agencies clear direction to identify and consider historic properties in federal and federally assisted actions. The National Historic Preservation Amendments of 1992 further clarified Section 110 and directed federal agencies to establish preservation programs commensurate with their missions and the effects of their authorized programs on historic properties. (NPS, 2023)



2. *National Register of Historic Places (NRHP)*

The National Register of Historic Places is the official list of the Nation's historic places worthy of preservation. Authorized by the NHPA of 1966, the NPS's National Register of Historic Places (NRHP) is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archaeological resources.

To be considered eligible, a property must meet the National Register Criteria for Evaluation. This involves examining the property's age, integrity, and significance, as follows:

- **Age and Integrity.** Is the property old enough to be considered historic (generally at least 50 years old) and does it still look much the way it did in the past?
- **Significance.** Is the property associated with events, activities, or developments that were important in the past? With the lives of people who were important in the past? With significant architectural history, landscape history, or engineering achievements? Does it have the potential to yield information through archaeological investigation about our past? (NPS, 2024a)

Nominations can be submitted to a SHPO from property owners, historical societies, preservation organizations, governmental agencies, and other individuals or groups. The SHPO notifies affected property owners and local governments and solicits public comment. If the owner (or a majority of owners for a district nomination) objects, the property cannot be listed but may be forwarded to the NPS for a Determination of Eligibility (DOE). Listing in the NRHP provides formal recognition of a property's historical, architectural, or archaeological significance based on national standards used by every state.

Under Federal Law, the listing of a property in the National Register places no restrictions on what a non-federal owner may do with their property up to and including destruction, unless the property is involved in a project that receives Federal assistance, usually funding or licensing/permitting. National Register listing does not lead to public acquisition or require public access. (NPS, 2024a)

B. State

1. *California Administrative Code, Title 14, Section 4308*

Section 4308, Archaeological Features, of Title 14 of the California Administrative Code provides that: "No person shall remove, injure, disfigure, deface, or destroy any object of archaeological, or historical interest or value."

2. *California Code of Regulations Title 14, Section 1427*

Section 4308, Archaeological Features, of Title 14 of the California Administrative Code provides that: "No person shall remove, injure, disfigure, deface, or destroy any object of archaeological, or historical interest or value." (NAHC, n.d.)



3. California Register of Historic Resources

The State Historical Resources Commission has designed this program for use by state and local agencies, private groups, and citizens to identify, evaluate, register, and protect California's historical resources. The Register is the authoritative guide to the state's significant historical and archaeological resources. The California Register program encourages public recognition and protection of resources of architectural, historical, archaeological, and cultural significance; identifies historical resources for state and local planning purposes; determines eligibility for state historic preservation grant funding; and affords certain protections under CEQA.

In order for a resource to be included on the Register of Historic Resources, the resources must meet one of the following criteria:

- Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States (Criterion 1).
- Associated with the lives of persons important to local, California or national history (Criterion 2).
- Embodies the distinctive characteristics of a type, period, region, or method of construction or represents the work of a master or possesses high artistic values (Criterion 3).
- Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation (Criterion 4).

For resources included on the Register of Historic Resources, environmental review may be required under CEQA if a project would effect a historical resource. Additionally, local building inspectors must grant code alternatives provided under State Historical Building Code. Further, the local assessor may enter into contract with property owner for property tax reduction pursuant to the Mills Act. A property owner also may place his or her own plaque or marker at the site of the resource.

Consent of owner is not required, but a resource cannot be listed over an owner's objections. The State Historical Resources Commission (SHRC) can, however, formally determine a property eligible for the California Register if the resource owner objects. (OHP, n.d.)

4. State Health and Safety Code

California Health and Safety Code (HSC) Section 7050.5(b) requires that excavation and disturbance activities must cease "In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery..." until the coroner can determine regarding the circumstances, manner, and cause of any death. The coroner is then required to make recommendations concerning the treatment and disposition of the human remains. Further, this section of the code makes it a misdemeanor to intentionally disturb, mutilate or remove interred human remains. Section 7051 specifies that the removal of human remains from "internment or a place of storage while awaiting



internment” with the intent to sell them or to dissect them with “malice or wantonness” is a public offense punishable by imprisonment in a state prison. Lastly, HSC Sections 8010-8011 establish the California Native American Graves Protection and Repatriation Act consistent with the federal law addressing the same. The Act stresses that “all California Indian human remains and cultural items are to be treated with dignity and respect.” It encourages voluntary disclosure and return of remains and cultural items by publicly funded agencies and museums in California. It also outlines the need for aiding California Indian tribes, including non-federally recognized tribes, in filing repatriation claims.

5. California Code of Regulations Section 15064.5

The California Code of Regulations, Title 14, Chapter 3, Section 15064.5 (the State CEQA Guidelines) establishes the procedure for determining the significance of impacts to archaeological and historical resources, as well as classifying the type of resource. Cultural resources are aspects of the environment that require identification and assessment for potential significance. The evaluation of cultural resources under CEQA is based upon the definitions of resources provided in CEQA Guidelines Section 15064.5, as follows:

- (1) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code Section 5024.1, Title 14 CCR, Section 4850 et seq.).
- (2) A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements Section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- (3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency’s determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be “historically significant” if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code Section 5024.1, Title 14 CCR, Section 4852) including the following:
 - (A) Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
 - (B) Is associated with the lives of persons important in our past;



(C) 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 values; or

(D) Has yielded, or may be likely to yield, information important in prehistory or history.

(4) The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to Section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in Section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code Sections 5020.1(j) or 5024.1.

C. Local

1. *City of Manteca General Plan*

The General Plan identifies goals related to Resource Conservation in the Resource Conservation Element. These goals and policies and a discussion of the Project's consistency are discussed in Table 4.9-2, *General Plan Consistency Analysis*, in EIR Section 4.9, *Land Use and Planning*, of this EIR.

4.3.4 METHODOLOGY

The CCAIC of the CHRIS at California State University, Stanislaus, conducted a records search on April 15, 2024, to identify any previously recorded cultural resources within the Project site and surrounding 0.25-mile search radius. Sources consulted by the CCAIC personnel included archaeological site and survey base maps, reports of previous investigations, cultural resource records, and the Office of Historic Preservation's Historic Properties Directory Built Environment Resource Directory.

Prior to the pedestrian survey, AE conducted background research to identify areas within the Project site where extant historic-era buildings, structures, or objects were previously known or might be present, or where archaeological deposits might exist. Desktop and online library research focused on historical maps, aerial images, atlases, and photographs from various sources including:

- General Land Office (GLO) Maps
- Aerial photographs available through the Map Aerial Locator Tool maintained by California State University, Fresno
- USGS topographic maps: 1914 Manteca 1:31,680; 1947 San Jose 1:250,000; 1952 Manteca 1:62,500; 1966 San Jose 1:250,000
- HistoricAerials.com administered by NETRonline (1957, 1968, 1982, 1993, 2005, 2009, 2010, 2012, 2014, 2016, 2018, 2020)



- Sanborn Fire Insurance maps: 1913, 1918, 1921
- AE’s in-house library, which includes maps and local histories

AE also conducted an intensive archaeological pedestrian survey of the Project area, using parallel transects spaced 5–10 meters apart. Stanley and Bach documented information on the survey coverage and made observations regarding the ground visibility and other conditions on digital Survey123 Field Record forms. Stanley took photographs of the Project area using an iPad camera and used an Arrow 100 Global Navigation Satellite System unit to collect spatial information.

Upon discovery of cultural material that appeared to be of historic age (i.e., 45 years old or older) surveyors marked its position and closely examined the surrounding area for associated artifacts and features. After the area extent of the find was reasonably determined based on the limits of associated artifacts, a temporary number (AE-4603-ISO-01) was designated to the isolated find and recorded descriptive and location information on DPR 523 series forms. All artifacts were photo documented in the field but not collected.

4.3.5 BASIS FOR DETERMINING SIGNIFICANCE

Section V of Appendix G to the CEQA Guidelines addresses typical adverse effects to cultural resources, and includes the following threshold questions to evaluate the Project’s impacts on cultural resources:

- Cause a substantial adverse change in the significance of a historical resource in pursuant to Section 15064.5;*
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5;*
- Disturb any human remains, including those interred outside of formal cemeteries.*

4.3.6 IMPACT ANALYSIS

Threshold a: Would the Project cause a substantial adverse change in the significance of a historical resource in pursuant to Section 15064.5?

As discussed above, the pedestrian survey of the Project site resulted in the identification of a single historic-era wedge-shaped yellow brick marked “CARNEGIE,” and other isolated debris which is likely left over from the removal of the sugar mill. The brick and associated debris were documented as a cultural resource isolate with the temporary number AE-4603-ISO-01. The record also notes the isolate’s proximity to the footprint of the nonextant sugar mill and the possibility that additional subsurface artifacts and/or structural debris may be present in the subsurface. No other features of the sugar mill were observed during the pedestrian survey. Isolated archaeological artifacts are not eligible for listing in CRHR because they lack context and association with other archaeological materials. Therefore, AE-4603-ISO-1 is not considered a historical resource eligible for listing in the CRHR.



However, due to the past usage of the site as the sugar mill, there is a potential for grading activities to impact buried historical resources associated with the sugar mill during ground disturbance activities (i.e., grading and excavation activities), which would result in a potentially significant impact.

Threshold b: Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

As discussed above, results of the record search identified no previous recorded cultural resources within the Project site and no precontact archaeological sites or features were identified during the pedestrian survey. Therefore, implementation of the Project would result in less than significant impacts associated with known archaeological resources. However, due to the presence of cultural resources documenting prehistoric and historic use of this property, and the poor ground visibility during the survey, there is a potential to impact buried prehistoric archaeological resources during ground disturbance activities (i.e., grading and excavation activities), which would result in a potentially significant impact.

Threshold c: Would the Project disturb any human remains, including those interred outside of formal cemeteries?

The Project site does not contain a cemetery and no known formal cemeteries are located within the immediate site vicinity. Field surveys conducted on the Project site did not identify the presence of any human remains and no human remains are known to exist beneath the surface of the site. Nevertheless, the remote potential exists that human remains may be unearthed during ground disturbance activities associated with Project construction.

If human remains are unearthed during Project ground disturbance activities, the contractor would be required by law to comply with California Health and Safety Code Section 7050.5 “Disturbance of Human Remains.” According to Section 7050.5(b) and (c), if human remains are discovered, the County Coroner must be contacted and if the Coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, the Coroner is required to contact the NAHC by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, whenever the NAHC receives notification of a discovery of Native American human remains from a county coroner, the NAHC is required to immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. According to Public Resources Code Section 5097.94(k), the NAHC is authorized to mediate disputes arising between landowners and known descendants relating to the treatment and disposition of Native American human burials, skeletal remains, and items associated with Native American burials. With mandatory compliance to California Health and Safety Code Section 7050.5 and Public



Resources Code Section 5097.98, any potential impacts to human remains, including human remains of Native American ancestry, that may result from development of the Project would be less than significant.

4.3.7 CUMULATIVE IMPACT ANALYSIS

The potential for implementation of the Project to contribute to cumulative impacts to historical resources was analyzed in conjunction with other projects in the immediate vicinity of the Project site. Cumulative impacts to historical resources occur when the Project and other related projects, as a whole, affect historical resources in the immediate vicinity, contribute to changes within a historic district, or substantially diminish the number of historical resources within the same context and theme as the historical resources within the Project area. The Project is not located within a historic district. Thus, the study area for cumulative impacts to historical resources includes historical resources in the immediate vicinity which reflect the same historic context or theme.

The sugar mill covered a larger area than the Project site, expanding into the properties directly adjacent to the north and south of the site. These areas have been built out and include the Valley Cancer Medical Center, Yosemite Medical Arts, JM Hunt Equipment Co./Sexton Chevrolet, and American Modular Systems. Therefore, there are no projects in the immediate vicinity that have the potential to result in cumulative impacts to historical resources or historic districts. Cumulative impacts to historical resources associated with the Project would be less than significant.

As discussed, under Threshold b, there are no significant archaeological resources located on the Project site. Impacts to previously undiscovered subsurface archeological resources are typically site specific from ground disturbing activities and generally do not combine to result in cumulative impacts, unless resources are identified immediately adjacent to the Project site. As discussed in Section 4.0, *Environmental Analysis*, there are no related projects immediately adjacent to the development area that could combine to result in a significant cumulative archaeological resources impact. Therefore, cumulative impacts to archaeological resources would be less than significant.

Mandatory compliance with the provisions of California Health and Safety Code Section 7050.5 as well as Public Resources Code Section 5097 et seq. (see Regulatory Requirement 5-1), would ensure that all future development projects within the region treat human remains that may be uncovered during development activities in accordance with prescribed, respectful, and appropriate practices, thereby avoiding significant cumulative impacts.

4.3.8 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold a: Potentially Significant Impact. One artifact was found and recorded during the pedestrian survey. However, it is not considered a historical resource eligible for listing in the CRHR. Nonetheless, there is potential to impact buried historical resources during Project-related ground-disturbing activities.



Threshold b: Potentially Significant Impact. No known prehistoric archeological resources are present on the Project site. Nonetheless, the potential exists for Project-related ground-disturbing activities to result in a direct impact to significant subsurface prehistoric archaeological resources should such resources be discovered during Project-related ground-disturbing activities.

Threshold c: Less Than Significant Impact. In the unlikely event that human remains are discovered during Project ground disturbing activities, the Project would be required to comply with the applicable provisions of California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097 et seq. Mandatory compliance with State law would ensure that human remains, if encountered, are appropriately treated, and would preclude the potential for significant impacts to human remains.

4.3.9 MITIGATION

The following mitigation measure addresses the potential for Project construction to impact significant buried historical and prehistoric archaeological resources that may be present beneath the Project site and that may be discovered during ground-disturbing activities.

- MM 4.3-1 Prior to issuance of a grading permit, the Project Applicant shall provide written verification in the form of a letter from the archaeologist to the City's Development Services Director stating that a Qualified Archaeologist that meets the U.S. Secretary of Interior Standards has been retained to implement the monitoring program. The monitoring program shall require that:
- a. The Archaeologist shall be present during all ground-disturbing activities to identify any known or suspected archaeological and/or cultural resources.
 - b. Prior to any ground disturbing activities, the Archaeologist shall conduct Worker Environmental Awareness Training. The purpose of the training is to educate the construction crew and establish protocols for identifying and evaluating the significance of unanticipated finds. The Archaeologist shall provide cultural resource awareness training to all field crew and field supervisors. The training shall include a description of the types of resources that may be found in the Project area, the protocols to be used in the event of an unanticipated discovery, the importance of cultural resources to the Native American community, and the laws protecting significant archaeological and historical sites.
 - c. If unknown precontact or historic-era cultural resources are encountered during Project activities, all ground-disturbing activities within 50 feet of the find shall cease until the Archaeologist can evaluate the significance of the resource, including potential eligibility for listing in the CRHR, and recommend appropriate treatment measures.



- d. If any buried historic-era cultural resources are found to be eligible for listing in the CRHR, shall first consider avoidance and preservation in place. If avoidance is infeasible, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the Archeologist and approved by the City before being carried out using professional archaeological methods. All cultural material collected during the grading monitoring program shall be processed and curated according to the current professional repository standards. The collections and associated records shall be transferred, including title, to an appropriate curation facility, to be accompanied by payment of the fees necessary for permanent curation.
- e. The City shall consult with interested Native American representatives in determining appropriate mitigation for unearthed cultural resources if the resources are precontact or important to Native American culture.
- f. If additional studies or data recovery mitigation is necessary, the qualified subject matter expert shall prepare a report documenting these studies and/or additional mitigation of the resource. A copy of the report shall be provided to City and the CCAIC. Construction can recommence based on the direction of the Archaeologist and/or other subject matter expert with the City's concurrence.

4.3.10 SIGNIFICANCE OF IMPACTS AFTER MITIGATION

Threshold a: Less Than Significant Impact with Mitigation Incorporated. Implementation of Mitigation Measure MM 4.3-1 would ensure the proper identification and subsequent treatment of any significant buried historical resources that may be encountered during ground-disturbing activities associated with implementation of the Project. With implementation of the required mitigation, the Project's potential impacts to important historical resources would be reduced to less than significant.

Threshold b: Less Than Significant Impact with Mitigation Incorporated. Implementation of Mitigation Measure MM 4.3-1 would ensure the proper identification and subsequent treatment of any significant archaeological resources that may be encountered during ground-disturbing activities associated with implementation of the Project. With implementation of the required mitigation, the Project's potential impacts to important archaeological resources would be reduced to less than significant.



4.4 ENERGY

The analysis in this section is primarily based on a technical report prepared by Urban Crossroads titled *Spreckels Distribution Center Energy Analysis*, dated February 20, 2025, and is included as *Technical Appendix E* to this EIR (Urban Crossroads, 2025c). Refer to Section 7.0, *References*, for a complete list of reference sources.

4.4.1 NOP/SCOPING MEETING COMMENTS

A NOP for the Project was released for public review on December 6, 2024, and an EIR Scoping meeting was held on December 12, 2024. No comments were made during the EIR Scoping Meeting that pertain to energy. Additionally, no comments related to energy were received during the public scoping period.

4.4.2 EXISTING CONDITIONS

A. Electricity and Natural Gas

Electricity is currently provided to the Project site by PG&E. PG&E provides natural gas and electric power to approximately 16 million people in 47 counties, within a service area encompassing approximately 70,000 square miles. PG&E's service area extends from Eureka in the north to Bakersfield in the south, and from the Pacific Ocean in the west to the Sierra Nevada in the east. PG&E operates 106,681 circuit miles of electric distribution lines, 18,466 circuit miles of interconnected transmission lines, 42,141 miles of natural gas distribution pipelines, and 6,438 miles of transmission pipelines. (PG&E, 2025)

Based on PG&E's 2022 Power Content Label Mix, PG&E derives electricity from varied energy resources including: fossil fuels, hydroelectric generators, nuclear power plants, geothermal power plants, solar power generation, and wind farms. The 2022 PG&E Power Mix has renewable energy at 35.8% of the overall energy resources. Geothermal resources are at 4.7%, wind power is at 10.8%, large hydroelectric sources are at 9.2%, solar energy is at 17.0%, and coal is at 2.1% . PG&E also purchases from independent power producers and utilities, including out-of-state suppliers.

B. Transportation Energy

Gasoline (and other vehicle fuels) are commercially provided commodities and are available to the Project patrons and employees via commercial outlets. The California DMV identified 36.2 million registered vehicles in California which consumed an estimated 17.2 billion gallons of fuel each year.

4.4.3 REGULATORY FRAMEWORK

A. Federal

1. Energy Policy and Conservation Act

The Energy Policy and Conservation Act (EPCA) was enacted in 1975 in response to the 1973 oil crisis. The primary goals of EPCA are to increase energy production and supply and reduce energy

demand through the establishment of testing procedures, labeling requirements, and energy efficiency standards for vehicles, equipment, and appliances.

2. *Intermodal Surface Transportation Efficiency Act (ISTEA)*

The ISTEA promoted the development of inter-modal transportation systems to maximize mobility as well as address national and local interests in air quality and energy. ISTEA contained factors that Metropolitan Planning Organizations (MPOs) were to address in developing transportation plans and programs, including some energy-related factors. To meet the new ISTEA requirements, MPOs adopted explicit policies defining the social, economic, energy, and environmental values guiding transportation decisions.

3. *Energy Policy Act of 1992*

The Energy Policy Act of 1992 took effect in October 1992 and established goals and mandates to increase the use of clean energy in the United States, while also amending utility laws and requiring improvements in building and vehicles energy efficiency.

4. *The Transportation Equity Act for the 21st Century (TEA-21)*

The TEA-21 was signed into law in 1998 and builds upon the initiatives established in the ISTEA legislation, discussed above. TEA-21 authorizes highway, highway safety, transit, and other efficient surface transportation programs. TEA-21 continues the program structure established for highways and transit under ISTEA, such as flexibility in the use of funds, emphasis on measures to improve the environment, and focus on a strong planning process as the foundation of good transportation decisions. TEA-21 also provides for investment in research and its application to maximize the performance of the transportation system through, for example, deployment of Intelligent Transportation Systems, to help improve operations and management of transportation systems and vehicle safety.

5. *Energy Policy Act of 2005*

The Energy Policy Act of 2005 was enacted in August 2005 and provided tax incentives and loan guarantees for alternative energy sources such as wind and geothermal. Additionally, the Act set targets for the quantity of biofuels to be mixed with gasoline, resulting in a significant increase in ethanol production.

6. *Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)*

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) was a U.S. federal surface transportation funding and authorization bill. Enacted on August 10, 2005, it provided \$244.1 billion to improve and maintain the surface transportation infrastructure in the United States, including highways, transit systems, bicycling and pedestrian facilities, and freight



rail operations. The bill was replaced by the Moving Ahead for Progress in the 21st Century Act (MAP-21) in 2012.

7. *Energy Independence and Security Act of 2007*

The Energy Independence and Security Act of 2007 was enacted in December 2007 with the purpose of moving the United States toward greater energy independence by increasing the production of renewable fuels, improving building and vehicle energy efficiency, and improving the energy performance of the Federal Government. Additionally, the Act sought to promote research on greenhouse gas capture and storage technologies.

8. *Moving Ahead for Progress in the 21st Century Act (MAP-21)*

The Moving Ahead for Progress in the 21st Century Act (MAP-21) is a U.S. federal surface transportation funding and authorization bill. Signed into law on July 6, 2012, it aimed to reduce crashes, injuries, and fatalities involving large trucks and buses by raising safety standards. The law provided over \$105 billion for fiscal years 2013 and 2014 to guide the growth and development of the country's transportation infrastructure.

9. *Fixing America's Surface Transportation Act (FAST)*

The FAST Act, signed into law in 2015, provides long-term funding certainty for surface transportation. It allocates over \$305 billion for programs like Federal-aid highways, streamlining approval processes, and establishing a National Surface Transportation and Innovative Finance Bureau. The Act aims to improve roads, bridges, transit systems, and rail transportation networks.^{3.1.10} Infrastructure Investment and Jobs Act (IIJA)

The IIJA, was enacted in November 2021 and allocates approximately \$550 billion in new federal funds for roads, bridges, water infrastructure, transit, and internet.

B. State

1. *Integrated Energy Policy Report*

Senate Bill 1389 (Bowen, Chapter 568, Statutes of 2002) requires the California Energy Commission (CEC) to prepare a biennial integrated energy policy report that assesses major energy trends and issues facing the state's electricity, natural gas, and transportation fuel sectors and provides policy recommendations to conserve resources; protect the environment; ensure reliable, secure, and diverse energy supplies; enhance the state's economy; and protect public health and safety (Public Resources Code § 25301[a]). The CEC prepares these assessments and associated policy recommendations every two years, with updates in alternate years, as part of the Integrated Energy Policy Report (IEPR).

The 2022 IEPR was adopted February 2023, and continues to work towards improving electricity, natural gas, and transportation fuel energy use in California. The 2022 IEPR introduces a new framework for embedding equity and environmental justice at the CEC and the California Energy



Planning Library which allows for easier access to energy data and analytics for a wide range of users. Additionally, energy reliability, western electricity integration, gasoline cost factors and price spikes, the role of hydrogen in California’s clean energy future, fossil gas transition and distributed energy resources are topics discussed within the 2022 IEPR.

2. *State of California Energy Plan*

The CEC is responsible for preparing the State Energy Plan, which identifies emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The Plan calls for the state to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies several strategies, including assistance to public agencies and fleet operators and encouragement of urban designs that reduce vehicle miles traveled (VMT) and accommodate pedestrian and bicycle access.

3. *Title 24 Energy Efficiency Standards and California Green Building Standards*

California Code of Regulations (CCR) Title 24 Part 6: The California Energy Code was first adopted in 1978 in response to a legislative mandate to reduce California’s energy consumption.

The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. CCR, Title 24, Part 11: California Green Building Standards Code (CALGreen) is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect on August 1, 2009, and is administered by the California Building Standards Commission.

CALGreen is updated on a regular basis, with the most recent approved update consisting of the 2022 California Green Building Code Standards that became effective on January 1, 2023. The CEC anticipates that the 2022 energy code will provide \$1.5 billion in consumer benefits and reduce GHG emissions by 10 million metric tons. The Project would be required to comply with the applicable standards in place at the time plan check submittals are made.

The 2025 Building Energy Efficiency Standards will apply to newly constructed buildings, additions, and alterations. Workshops will be held to present revisions and obtain public comments. Proposed standards will be adopted in 2024 with an effective date of January 1, 2026. The California Energy Commission updates these standards every three years. (CEC, 2024)

4. *AB 1493 Pavley Regulations and Fuel Efficiency Standards*

California AB 1493, enacted on July 22, 2002, required the California Air Resources Board (CARB) to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light duty trucks. Under this legislation, CARB adopted regulations to reduce GHG emissions from non-commercial passenger vehicles (cars and light-duty trucks). Although aimed at reducing GHG emissions,

specifically, a co-benefit of the Pavley standards is an improvement in fuel efficiency and consequently a reduction in fuel consumption.

5. *California Renewable Portfolio Standards*

The CEC implements and administers portions of California's Renewables Portfolio Standard (RPS). Under the existing RPS, 25% of retail sales are required to be from renewable sources by December 31, 2016, 33% by December 31, 2020, 40% by December 31, 2024, 45% by December 31, 2027, and 50% by December 31, 2030. SB 100 raises California's RPS requirement to 50% renewable resources target by December 31, 2026, and to achieve a 60% target by December 31, 2030. SB 100 also requires that retail sellers and local publicly owned electric utilities procure a minimum quantity of electricity products from eligible renewable energy resources so that the total kilowatt hours (kWh) of those products sold to their retail end-use customers achieve 44% of retail sales by December 31, 2024, 52% by December 31, 2027, and 60% by December 31, 2030. In addition to targets under AB 32 and SB 32, Executive Order B-55-18 establishes a carbon neutrality goal for the state of California by 2045; and sets a goal to maintain net negative emissions thereafter. The Executive Order directs the California Natural Resources Agency (CNRA), California Environmental Protection Agency, the Department of Food and Agriculture (CDFA), and CARB to include sequestration targets in the Natural and Working Lands Climate Change Implementation Plan consistent with the carbon neutrality goal.

6. *Senate Bill 350 (SB 350) – Clean Energy and Pollution Reduction Act of 2015*

In October 2015, the legislature approved, and the Governor signed SB 350, which reaffirms California's commitment to reducing its GHG emissions and addressing climate change. Key provisions include an increase in the RPS, higher energy efficiency requirements for buildings, initial strategies towards a regional electricity grid, and improved infrastructure for electric vehicle charging stations. Specifically, SB 350 requires the following to reduce statewide GHG emissions:

- Increase the amount of electricity procured from renewable energy sources from 33 percent to 50 percent by 2030, with interim targets of 40 percent by 2024, and 25 percent by 2027.
- Double the energy efficiency in existing buildings by 2030. This target will be achieved through the California Public Utility Commission (CPUC), the CEC, and local publicly owned utilities.
- Reorganize the Independent System Operator (ISO) to develop more regional electrify transmission markets and to improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States.



C. Local

1. City of Manteca General Plan

The General Plan identifies goals related to energy conservation in the Resource Conservation Element. These goals and policies and a discussion of the Project's consistency are discussed in Table 4.9-2, *General Plan Consistency Analysis*, in Section 4.9, *Land Use and Planning*, of this EIR.

4.4.4 BASIS FOR DETERMINING SIGNIFICANCE

The City has not established local CEQA significance thresholds as described in Section 15064.7 of the CEQA Guidelines. Therefore, significance determinations utilized in this section are from Appendix G and Appendix F of the CEQA Guidelines.

According to Section VI of Appendix G to the CEQA Guidelines, the Project would result in a significant impact to energy if the Project or any Project-related component would:

- a. *Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation;*
- b. *Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.*

According to Appendix F to the CEQA Guidelines, an EIR should consider potentially significant energy impacts of a project caused by wasteful, inefficient, or unnecessary consumption of energy, and the wasteful, inefficient, or unnecessary use of energy, or wasteful use of energy resources, that may result in a significant environmental impact. Appendix F(II) lists possible energy impacts and potential conservation measures that should be considered in an EIR when they are "applicable or relevant to the project" and the impacts are "potentially significant."

The following factors identified in Appendix F are relevant to this Project and have been evaluated below in the context of whether the Project would result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation:

1. The project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project, including construction, operation, maintenance and/or removal. If appropriate, the energy intensiveness of materials may be discussed.
2. The effects of the project on local and regional energy supplies and on requirements for additional capacity.
3. The effects of the project on peak and base period demands for electricity and other forms of energy.
4. The degree to which the project complies with existing energy standards.



5. The effects of the project on energy resources.
6. The project’s projected transportation energy use requirements and its overall use of efficient transportation alternatives.

4.4.5 METHODOLOGY

The impact analysis provided in Subsection 4.4.6 contains an evaluation of the Project’s potential impacts on energy consumption. The analysis presented herein details the energy demand associated with Project-related construction equipment, transportation, and operations; and efficient use of energy as required by CEQA Guidelines Appendix F.

In order to calculate Project energy demands, information from the CalEEMod Version 2022.1 outputs from the Project’s Air Quality Impact Analysis (*Technical Appendix B1* to this EIR) was utilized to provide the energy demand associated with Project-related construction equipment, transportation, and operation. Outputs from the annual model runs are provided in Appendices 4.1 through 4.3 of the Project’s Energy Analysis (see *Technical Appendix E* to this EIR). Additionally, CARB’s Emissions Factor Model (EMFAC) 2021 was used to calculate emission rates, fuel consumption, VMT for each vehicle class during construction and operational activities. For purposes of analysis, the 2024 and 2024 analysis years were utilized to determine the average vehicle fuel economy used throughout the duration of the Project. Outputs from the EMFAC2021 model run is provided in Appendix 4.5 of the Project’s Energy Analysis (see *Technical Appendix E* to this EIR).

4.4.6 IMPACT ANALYSIS

Threshold a: *Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

A. Construction

Based on the assumed power cost, it is estimated that the total electricity usage during construction, would be approximately 27,498 kWh.

Construction equipment used by the Project would result in single event consumption of approximately 35,634 gallons of diesel fuel. Construction equipment use of fuel would not be atypical for the type of construction proposed because there are no aspects of the Project’s proposed construction process that are unusual or energy-intensive, and Project construction equipment would conform to the applicable CARB emissions standards, acting to promote equipment fuel efficiencies.

CCR Title 13, Title 13, Motor Vehicles, Section 2449(d)(3) Idling, limits idling times of construction vehicles to no more than 5 minutes, thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. Best Available Control Measures (BACMs) inform construction equipment operators of this requirement. Enforcement of idling limitations is



realized through periodic site inspections conducted by City’s building officials, and/or in response to citizen complaints.

Construction worker trips for full construction of the Project would result in the estimated fuel consumption of 10,914 gallons of fuel. Additionally, fuel consumption from construction vendor and hauling trips (Medium-heavy duty trucks [MHDTs] and Heavy-heavy duty trucks[HHDTs]) would total approximately 9,863 gallons. Diesel fuel would be supplied by City and regional industrial vendors. Indirectly, construction energy efficiency and energy conservation would be achieved using bulk purchases, transport and use of construction materials. The 2022 IEPR released by the CEC has shown that fuel efficiencies are getting better in on and off-road vehicle engines due to more stringent government requirements. As supported by the preceding discussions, Project construction energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary.

B. Operation

Energy consumption in support of or related to Project operations would include transportation fuel demands (fuel consumed by passenger car and truck vehicles accessing the Project site), on-site cargo handling equipment fuel demands, emergency engine fuel demands, and facility energy demands.

The Project would result in an estimated annual traffic fuel demand consumption of 570,753 gallons of fuel. Additionally, the Project on-site cargo handling equipment would consume an estimated 9,284 gallons of natural gas per year and emergency engine operation for maintenance and testing purposes would consume an estimated 1,883 gallons of diesel fuel per year.

Project facility operational energy demands are estimated at 1,436,010 kBTU/year of natural gas and 7,292,690 kWh/year of electricity. Natural gas and electricity would be supplied to the Project by PG&E. The Project proposes conventional industrial uses reflecting contemporary energy efficient/energy conserving designs and operational programs. The Project does not propose uses that are inherently energy intensive and the energy demands in total would be comparable to other industrial uses of similar scale and configuration.

Implementation of the Project would increase the demand for electricity at the Project site and petroleum consumption in the region during operation. However, the electrical consumption demands of the Project during operation would conform to the state’s Title 24 and to CALGreen standards, which implement conservation measures. Further, the Project would not directly require the construction of new energy generation or supply facilities and providers of electricity are in compliance with regulatory requirements that assist in conservation, including requirements that electrical providers achieve state-mandated renewable energy production requirements. The Project building would be designed and built to meet the standard for LEED Silver Certification, or above. Additionally, the Project would comply with the Outdoor Potable Water Reduction Requirements of the CalGreen Building Standards Code 4.304 and the Manteca Water Efficient Landscape Ordinance. With compliance with Title 24 conservation standards and other regulatory requirements, the Project would



not be wasteful or inefficient or unnecessarily consume energy resources during construction or operation.

C. CEQA Guidelines Appendix F

An analysis of the factors identified in CEQA Guidelines Appendix F is provided in Table 4.4-1, *CEQA Guidelines Appendix F Energy Analysis*. As shown, the Project would not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation; and impacts would be less than significant.

Table 4.4-1 CEQA Guidelines Appendix F Energy Analysis

| CEQA Guidelines Appendix F Factors | Analysis |
|---|---|
| <p>The project’s energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project, including construction, operation, maintenance and/or removal. If appropriate, the energy intensiveness of materials may be discussed.</p> <p>The effects of the project on energy resources.</p> <p>The project’s projected transportation energy use requirements and its overall use of efficient transportation alternatives.</p> | <p>The Project’s energy requirements by fuel type during construction and operation are analyzed above. As discussed, construction equipment fuel use would be typical for the type of construction proposed because there are no aspects of the Project’s proposed construction process that are unusual or energy intensive, and Project construction equipment would conform to the applicable CARB emissions standards. Construction contractors would be required to comply with applicable CARB regulation regarding retrofitting, repowering, or replacement of diesel off-road construction equipment. The Project is located on a site that is surrounded by existing urban uses; the existing transportation facilities and infrastructure would provide future visitors and employees associated with the Project access to a mix of land uses near the Project, thus further reducing fuel consumption demand. In compliance with the California Green Building Standards Code requirements, the Project would promote the use of bicycles as an alternative means of transportation by providing short-term and/or long-term bicycle parking accommodations.</p> <p>For these reasons, both construction-related and operational-related transportation fuel consumption would not result in a significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources. Therefore, impacts related to vehicle fuel consumption would be less than significant.</p> |
| <p>The effects of the project on local and regional energy supplies and on requirements for additional capacity.</p> | <p>As discussed above, Project building operations would result in the consumption of electricity, which would be supplied to the Project by PG&E. As discussed above, operations for the Project would result in approximately 1,436,010 kBTU/year of natural gas and 7,292,690 kWh/year of electricity. The Project building would also</p> |



| CEQA Guidelines Appendix F Factors | Analysis |
|---|---|
| | be designed and built to meet the standard for LEED Silver Certification, or above. Additionally, the Project would be required to obtain a will serve letter from PG&E, which would ensure that there is no impact on local or regional energy supplies. Therefore, the Project would not result in a significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, and impacts would be less than significant. |
| The effects of the project on peak and base period demands for electricity and other forms of energy. | The Project’s total energy demand is evaluated above. The Project consists of an industrial development and would affect peak and base period demands for electricity typical of other industrial uses. Furthermore, the Project would be required to obtain a will serve letter to ensure that PG&E will serve the Project’s electricity and natural gas requirements per the California Public Utilities Commission and Federal Energy Regulatory Commission tariffs. PG&E considers effects on peak and base period demands for electricity and natural gas when issuing will serve letters. Therefore, impacts would be less than significant. |
| The degree to which the project complies with existing energy standards. | As analyzed under Threshold b, below, the Project would comply with and not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. For example, during construction, the Project would comply with California Code of Regulations Title 13, Sections 2449 and 2485, which limit idling from both on- road and off-road diesel-powered equipment and are enforced by the ARB. During operation, the Project would be designed and constructed in accordance with the City’s latest adopted energy efficiency standards, which are based on the California Title 24 energy efficiency standards. Title 24 standards are widely regarded as the most advanced energy efficiency standards, would help reduce the amount of energy required for lighting, water heating, and heating and air conditioning in buildings and promote energy conservation. Impacts would be less than significant. |

Threshold b: Would the Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

The following section analyzes whether the Project would conflict with or obstruct applicable plans and regulations for renewable energy or energy efficiency.



A. Construction

As discussed in Threshold a, above, the Project would result in energy consumption through the combustion of fossil fuels in construction vehicles, worker commute vehicles, and construction equipment, and the use of electricity for temporary buildings, lighting, and other sources. California Code of Regulations Title 13, Sections 2449 and 2485, limit idling from both on-road and off-road diesel-powered equipment and are enforced by CARB. The Project would comply with these regulations. There are no policies at the local level applicable to energy conservation specific to the construction phase. Thus, it is anticipated that construction of the Project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing energy use or increasing the use of renewable energy.

B. Operation

California's RPS establishes a goal of renewable energy for local providers to be 44 percent by 2040. Similarly, the State is promoting renewable energy targets to meet the 2022 Scoping Plan greenhouse gas emissions reductions. As discussed in Threshold a above, Project facility operational energy demands are estimated at 1,436,010 kBTU/year of natural gas and 7,292,690 kWh/year of electricity.

The Project would be designed and constructed in accordance with the City's latest adopted energy efficiency standards, which are based on the California Title 24 energy efficiency standards. Title 24 standards include a broad set of energy conservation requirements that apply to the structural, mechanical, electrical, and plumbing systems in a building. For example, the Title 24 Lighting Power Density requirements define the maximum wattage of lighting that can be used in a building based on its square footage. Title 24 standards, widely regarded as the most advanced energy efficiency standards, would help reduce the amount of energy required for lighting, water heating, and heating and air conditioning in buildings and promote energy conservation.

Compliance with the aforementioned mandatory measures would ensure that future development projects would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing energy use or increasing the use of renewable energy.

4.4.7 CUMULATIVE IMPACT ANALYSIS

Cumulative impacts result if the Project, along with cumulative projects, taken together could result in wasteful, inefficient, or unnecessary use of energy. The areas considered for cumulative impacts to electricity and natural gas supplies are the service areas of the PG&E, respectively, described above in Section 4.4.1.

The Project, related projects, and additional forecasted growth in PG&E's service area would cumulatively increase the demand for electricity and natural gas supplies and infrastructure capacity. As with the Project, during construction and operation, other future development projects would be expected to incorporate energy conservation features and comply with applicable regulations including CALGreen and state energy standards under Title 24, which would contribute to minimizing wasteful



energy consumption. As such, the Project's contribution to cumulative impacts related to wasteful, inefficient, and unnecessary use of electricity would not be cumulatively considerable and, thus, would be less than significant.

Buildout of the Project, related projects, and additional forecasted growth would cumulatively increase the demand for transportation-related fuel in the state and region. As with the Project, other future development projects would be expected to reduce VMT by encouraging the use of alternative modes of transportation and other design features that promote VMT reductions. Therefore, the Project's contribution to cumulative impacts related to wasteful, inefficient, and unnecessary use of transportation fuel would not be cumulatively considerable and, thus, would be less than significant.

As indicated above, the Project would not conflict with or obstruct a federal or State plan for renewable energy or energy efficiency. The Project and other new development projects within the cumulative study area would be required to comply with all of the same applicable federal, State, and local regulatory measures aimed at reducing fossil fuel consumption and the conservation of energy. Accordingly, the Project would not cause or contribute to a significant cumulatively considerable impact related to conflicts with a State or local plan for renewable energy or energy efficiency.

4.4.8 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold a: Less-than-Significant Impact. Project construction and operations would not result in the inefficient, wasteful, or unnecessary consumption of energy evidenced by compliance with applicable 2022 Title 24 Standards. The Project would therefore not cause or result in the need for additional energy producing or transmission facilities. The Project would not engage in wasteful or inefficient uses of energy and aims to achieve energy conservation goals within the State of California. As such, Project impacts due to wasteful, inefficient, or unnecessary consumption of energy resources would be less than significant.

Threshold b: Less-than-Significant Impact. The Project would not conflict with or obstruct a federal or State plan for renewable energy or energy efficiency and impacts would be less than significant.

4.4.9 MITIGATION

No mitigation is required.

4.4.10 SIGNIFICANCE OF IMPACTS AFTER MITIGATION

Impacts would be less than significant; therefore, mitigation is not required.



4.5 GEOLOGY AND SOILS

The following analysis in this Subsection is based primarily on information contained in the technical reports prepared by ENGEO Incorporated (ENGEO) titled, “Geotechnical Exploration” (Geotechnical Report), dated January 24, 2017 (ENGEO, 2017) and Geotechnical Report Update, dated March 8, 2024 (ENGEO, 2024). These technical reports are included as *Technical Appendices F1 and F2* to this EIR, respectively.

In addition, a paleontological resources assessment prepared by Applied Earthworks, Inc. (AE) titled “Paleontological Resource Assessment for 407 Spreckels Avenue, City of Manteca, San Joaquin County, California” (Paleontological Assessment) and dated July 2024. The technical report is included as *Technical Appendix F3* to this EIR (AE, 2024b). All references used in this Subsection are listed in Section 7.0, *References*, of this EIR.

4.5.1 NOP/SCOPING MEETING COMMENTS

A NOP for the Project was released for public review on December 6, 2024, and an EIR Scoping meeting was held on December 12, 2024. No comments were made during the EIR Scoping Meeting that pertain to geology and soils. Additionally, no comments related to geology and soils were received during the public scoping period.

4.5.2 EXISTING CONDITIONS

The elevation of the Project site ranges from approximately 40 feet to 44 feet above mean sea level (ENGEO, 2017; ENGEO, 2024). The Geotechnical Reports for the Project site (see *Technical Appendices F1 and F2*) detail the existing geologic and soils conditions on the Project site, which are described below.

A. Geologic Setting

The Project site is located in the Great Valley geomorphic province. The Great Valley is an elongate, northwest-trending structural trough bound by the Coast Range on the west and the Sierra Nevada on the east. The Great Valley has been and is presently being filled with sediments primarily derived from the Sierra Nevada.

B. Earthquake Faults

The City of Manteca is not located within a Alquist-Priolo fault zone. The nearest Alquist-Priolo fault zone, the Greenville fault zone, is located approximately 25 miles southwest of Manteca. (City of Manteca, 2023a)

The Project site is located in an area of moderate to high seismicity. No known active faults cross the Project site and the site is not located within an Earthquake Fault Special Study Zone; however, large (greater than Moment Magnitude 7) earthquakes have historically occurred in the region and many earthquakes of low magnitude occur every year. An active fault is defined by the California Geological



Survey as a fault that has experienced surface displacement within the Holocene Epoch (roughly the last 11,000 years). The closest known active faults to the site are the Great Valley 7 fault, located approximately 15 miles to the southwest, and the Greenville fault, located about 26 miles to the southwest.

C. Soils

Soil conditions on the Project site generally consist of varying amounts of undocumented fill during the previous geotechnical exploration in 2017. The fill contained concrete debris, bricks, asphalt, and non-native rock, all of varying diameters. Test pits on the southwestern portion of the site uncovered undocumented fill identified as a black, low plastic sandy lean clay at a depth of 3 to 6½ feet below the surface. The depths to native material varied from approximately the surface to 6¾ feet below existing grade. The native soils encountered generally consisted of loose to medium dense silty sand and clayey sand to a depth ranging between 2½ to 5 feet. Across the site, a relatively continuous layer of medium dense silty sand extended to a depth ranging from 8 to 10½ feet. Beneath the silty sand stratum was a continuous layer of medium dense poorly graded sand to a depth ranging from 16 to 20 feet. The sand layer was underlain by a lean clay and sandy lean clay to the total depth of the explorations.

Similarly, the updated geotechnical exploration in 2024 encountered soil conditions that were similar to those previously conducted in 2017. Undocumented fill was encountered to a depth of approximately 2½ feet to 6 feet and the near-surface soil encountered was non-expansive.

D. Groundwater

Groundwater was encountered at depths of approximately 26½ to 27 feet below existing grade. In general, fluctuations in the level of groundwater may occur due to variations in rainfall, irrigation practice, and other factors not evident at the time measurements were made.

E. Secondary Seismic Hazards

Secondary seismic hazards generally associated with severe ground-shaking during an earthquake include liquefaction, seiches and tsunamis, and landslides, each of which is described below.

1. Liquefaction

Soil liquefaction results from loss of strength during cyclic loading, such as imposed by earthquakes. Soils most susceptible to liquefaction are clean, loose, saturated, uniformly graded, fine-grained sands. Empirical evidence indicates that loose to medium-dense gravels, silty sands, and low- to moderate-plasticity silts and clays may be susceptible to liquefaction. In addition, sensitive high-plasticity soils may be susceptible to significant strength loss (cyclic softening) as a result of significant cyclic loading.

According to Bray and Sancio, fine-grained soils with plasticity index (PI) less than or equal to 12 and moisture content and liquid limit ratio of greater than 0.85 can undergo cyclic mobility. Based on laboratory results, site soils have a PI of 14, and less than a ratio of 0.85. Results of the liquefaction



analyses indicate relatively thin and discontinuous sand layers approximately 2 feet in thickness below a depth of 34 feet as potentially liquefiable. Based on the results and the relative thickness of non-liquefiable surface soils and potentially liquefiable soil, the risk of surface disruption is low to moderate

2. *Seiches and Tsunamis*

The Project site is not located in a coastal area and reservoirs are not located up gradient from or in close proximity to the Project site. There is no potential for the Project site to be affected by a seiche or tsunami (earthquake-generated wave) due to the absence of any large bodies of water near the Project site.

3. *Seismically-Induced Landslides*

The Project site is generally flat and does not contain, nor is it adjacent to any, steep natural or manufactured slopes and there is no evidence of historical landslides or rockfalls on the site. As such, the Project site is not susceptible to seismically-induced landslides and rockfalls.

F. *Paleontological Setting*

Paleontological resources are the remains of prehistoric life that have been preserved in geologic strata. These remains are called fossils and include bones, shells, teeth, and plant remains (including their impressions, casts, and molds) in the sedimentary matrix, as well as trace fossils such as footprints and burrows. Fossils are considered older than 5,000 years of age but may include younger remains (subfossils) when viewed in the context of local extinction of the organism or habitat. Fossils are considered a nonrenewable resource under state and local guidelines.

The ground surface of the Project site is mapped entirely as undivided alluvium of the late Pleistocene upper member of the Modesto Formation (Qmu). The Modesto Formation includes poorly indurated fluvial and alluvial deposits of sand and silt with minor gravel, with subunits named based on geomorphology and sedimentology. It was first described by Davis and Hall and later redescribed by Marchand, who informally divided the Modesto Formation into a lower and upper member based on topographic expression and the presence of paleosols. According to Marchand and Allwardt, the Modesto Formation is present throughout the eastern San Joaquin Valley, and as far north as the Sacramento River. Vertebrate fossils of Rancholabrean age, including specimens of mammoth, bison, horse, ground sloth, rodent, and snake have been reported elsewhere in the Modesto Formation. However, those localities are widely scattered throughout the San Joaquin Valley and greater than 10 miles from the Project site.

Based on a paleontological collections and locality records search by the University of California Museum of Paleontology (UCMP) and Paleobiology Database (PBDB), there were no known fossil localities in the vicinity of the Project. The UCMP online database lists numerous Pleistocene localities within San Joaquin County and neighboring Stanislaus County, including seven within the Modesto Formation. However, none are within 10 miles of the Project site.



Moreover, the Project site's exposed sediments were observed to have been disturbed previously from cultivation. These sediments were characterized as poorly sorted, subangular to subrounded gray silty sands with angular gravels and pebbles. Extensive vegetation and the absence of geologic outcrops or road cuts in or near the Project site limited the close field examinations of the surficial geology. However, no paleontological resources, or evidence of paleontological resources, were observed during the field survey.

4.5.3 REGULATORY FRAMEWORK

A. Federal

1. Clean Water Act

The Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. The basis of the CWA was enacted in 1948 and was called the Federal Water Pollution Control Act, but the Act was substantially reorganized and expanded in 1972. "Clean Water Act" became the Act's common name with amendments in 1972. Under the CWA, the Environmental Protection Agency (EPA) has implemented pollution control programs such as setting wastewater standards for industry, and also has set water quality standards for all contaminants in surface waters. The CWA made it unlawful to discharge any pollutant from a point source into navigable waters unless a permit was obtained. EPA's National Pollutant Discharge Elimination System (NPDES) permit program controls discharges. Point sources are discrete conveyances such as pipes or man-made ditches. 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. (EPA, 2024a)

2. Paleontological Resources Preservation Act

The Paleontological Resources Preservation Act (PRPA) was signed into law on March 30, 2009 (Public Law 111-11, Title VI, Subtitle D; 16 U.S.C. §§ 470aaa - 470aaa-11). PRPA directs the Department of Agriculture (U.S. Forest Service) and the Department of the Interior (National Park Service, Bureau of Land Management, Bureau of Reclamation, and Fish and Wildlife Service) to implement comprehensive paleontological resource management programs (NPS, 2024b). Regulations implementing the PRPA were published in the Federal Register on August 2, 2022, and those regulations became effective on September 1, 2022. (87 Fed. Reg. 47296) The PRPA and its regulations provide for the management, preservation, and protection of paleontological resources on lands administered by the Bureau of Land Management, the National Park Service, and the U.S. Fish and Wildlife Service.

B. State

1. Alquist-Priolo Earthquake Fault Zoning Act (A-P Act)

The Alquist-Priolo Earthquake Fault Zoning Act (A-P Act) was passed in 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The A-P Act's main purpose is to prevent the



construction of buildings used for human occupancy on the surface trace of active faults. The A-P Act only addresses the hazard of surface fault rupture and is not directed toward other earthquake hazards.

The A-P Act requires the State Geologist to establish regulatory zones (known as Earthquake Fault Zones) around the surface traces of active faults and to issue appropriate maps. ["Earthquake Fault Zones" were called "Special Studies Zones" prior to January 1, 1994.] The maps are distributed to all affected cities, counties, and state agencies for their use in planning and controlling new or renewed construction. Local agencies must regulate most development projects within the zones. Projects include all land divisions and most structures for human occupancy. Single family wood-frame and steel-frame dwellings up to two stories not part of a development of four units or more are exempt. However, local agencies can be more restrictive than state law requires.

Before a project can be permitted, cities and counties must require a geologic investigation to demonstrate that proposed buildings will not be constructed across active faults. An evaluation and written report of a specific site must be prepared by a licensed geologist. If an active fault is found, a structure for human occupancy cannot be placed over the trace of the fault and must be set back from the fault (generally 50 feet).

2. *Seismic Hazards Mapping Act*

The Seismic Hazards Mapping Act (SHMA) of 1990 (Public Resources Code, Chapter 7.8, § 2690-2699.6) directs the Department of Conservation, California Geological Survey to identify and map areas prone to liquefaction, earthquake-induced landslides, and amplified ground shaking. The purpose of the SHMA is to minimize loss of life and property through the identification, evaluation, and mitigation of seismic hazards.

Staff geologists in the Seismic Hazards Program gather existing geological, geophysical, and geotechnical data from numerous sources to produce the Seismic Hazard Zone Maps. They integrate and interpret these data regionally to evaluate the severity of the seismic hazards and designate as Zones of Required Investigation (ZORI) those areas prone to liquefaction and earthquake-induced landslides. Cities and counties are then required to use the Seismic Hazard Zone Maps in their land use planning and building permit processes.

The SHMA requires site-specific geotechnical investigations be conducted within the ZORI to identify and evaluate seismic hazards and formulate mitigation measures prior to permitting most developments designed for human occupancy

3. *Natural Hazards Disclosure Act*

The Natural Hazards Disclosure Act, effective June 1, 1998 (as amended June 9, 1998), requires that sellers of real property and their agents provide prospective buyers with a "Natural Hazard Disclosure Statement" when the property being sold lies within one or more state-mapped hazard areas, including a Seismic Hazard Zone.



The law requires the State Geologist to establish regulatory zones (Zones of Required Investigation) and to issue appropriate maps (Seismic Hazard Zone maps). These maps are distributed to all affected cities, counties, and state agencies for their use in planning and controlling construction and development. Single-family frame dwellings up to two stories not part of a development of four or more units are exempt from the state requirements. However, local agencies can be more restrictive than state law requires.

Before a development permit can be issued or a subdivision approved, cities and counties must require a site-specific investigation to determine whether a significant hazard exists at the site and, if so, recommend measures to reduce the risk to an acceptable level. The investigation must be performed by state-licensed engineering geologists and/or civil engineers.

4. *Essential Services Building Seismic Safety Act*

In 1986, the California Legislature determined that buildings providing essential services should be capable of providing those services to the public after a disaster. Their intent in this regard was defined in legislation known as the Essential Services Buildings Seismic Safety Act of 1986 and includes requirements that such buildings shall be "...designed and constructed to minimize fire hazards and to resist...the forces generated by earthquakes, gravity, and winds." This enabling legislation can be found in the California Health and Safety Code, Chapter 2, § 16000 through 16022. In addition, the California Building Code defines how the intent of the act is to be implemented in Title 24, Part 1 of the California Building Standards Administrative Code, Chapter 4, Articles 1 through 3.

5. *California Building Standards Code (Title 24)*

California Code of Regulations (CCR) Title 24 is reserved for state regulations that govern the design and construction of buildings, associated facilities, and equipment. These regulations are also known as building standards (reference California Health and Safety Code § 18909). Health and Safety Code (state law) § 18902 gives CCR Title 24 the name California Building Standards Code (CBSC).

The CBSC in CCR Title 24 is published by the California Building Standards Commission and it applies to all building occupancies (see Health and Safety Code §§ 18908 and 18938) throughout the State of California. Cities and counties are required by state law to enforce CCR Title 24 (reference Health and Safety Code §§ 17958, 17960, 18938(b), and 18948). Cities and counties may adopt ordinances making more restrictive requirements than provided by CCR Title 24, because of local climatic, geological, or topographical conditions. Such adoptions and a finding of need statement must be filed with the California Building Standards Commission (Reference Health and Safety Code §§ 17958.7 and 18941.5).

C. Regional

1. *San Joaquin Valley Air Pollution Control District Rule 8021*

The San Joaquin Valley Air Pollution Control District is responsible for enforcing air pollution control measures in the Air Basin, within which the Project site is located. Rule 8021 (Dust Control Plans)



requires the owner or operator to obtain approval of a Dust Control Plan prior to commencing construction activities at any non-residential projects which include 5 acres or more of disturbed surface area.

D. Local

1. City of Manteca General Plan

The General Plan identifies goals related to geology and soils in the Resource Conservation and Safety Element. These goals and policies and a discussion of the Project's consistency are discussed in Table 4.9-2, *General Plan Consistency Analysis*, in Section 4.9, *Land Use and Planning*, of this EIR.

2. City of Manteca Municipal Code

The City of Manteca Municipal Code identifies provisions that are intended to minimize adverse geology and soil impacts associated with new development projects. Below are the regulations relevant to the Project.

- **Building Code (Chapter 15.04).** The City of Manteca adopted the 2022 California Building Code by providing the standards for facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupancy and use.
- **Landscaping (Chapter 17.48, Section 17.48.070).** As part of the Landscape Documentation package, a soil management report is required in order to reduce runoff and encourage healthy plant growth.

4.5.4 METHODOLOGY

To determine the geologic and soil conditions and potential for geological hazards to occur on the project site, ENGEO prepared preliminary geotechnical investigations to evaluate the pertinent geotechnical conditions at the site and to provide geotechnical design criteria for grading construction, foundation design, and other relevant aspects to project development. Refer to *Technical Appendices F1 and F2* for additional information.

Additionally, on May 13, 2024, AE conducted a field survey of the property to determine if any paleontological resources were visible. The field methodology employed for the Project included walking evenly spaced survey transects set approximately 5-10 meters apart while visually inspecting the ground surface, when possible. Close visual inspection was conducted where the ground surface was visible and sediments were exposed, which was limited to areas with sparse vegetation.

4.5.5 BASIS FOR DETERMINING SIGNIFICANCE

Section VII of Appendix G to the CEQA Guidelines addresses typical adverse effects due to geological conditions, and includes the following threshold questions to evaluate the Project's impacts resulting from geologic or soil conditions:



- a. *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*
 - i. *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*
 - ii. *Strong seismic ground shaking*
 - iii. *Seismic-related ground failure, including liquefaction*
 - iv. *Landslides*
- b. *Result in substantial soil erosion or the loss of topsoil;*
- c. *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;*
- d. *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property;*
- e. *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;*
- f. *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature;*

4.5.6 IMPACT ANALYSIS

Threshold a: *Would the Project directly or indirectly cause 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 Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42; strong seismic ground shaking; seismic-related ground failure, including liquefaction; landslides?*

A. *Rupture of a Known Earthquake Fault*

As discussed above, the City of Manteca is not located within the State of California Earthquake Fault Zone (Alquist-Priolo) and no faults were identified on the site during the site evaluation. As indicated in the Geotechnical Report (*Technical Appendix F1*), the possibility of damage due to ground rupture is considered unlikely since no active faults are known to cross the site. Therefore, no impacts related to the rupture of a known earthquake fault would occur.



B. Strong Seismic Ground Shaking

California is a seismically active area and properties in the City of Manteca, including the Project site, are subject to periodic ground shaking and other effects from earthquake activity along nearby regional faults. The two nearest active earthquake faults to the Project site are the Great Valley 7 fault located approximately 15 miles to the southwest and the Greenville fault, located about 26 miles to the southwest. The Project would incorporate the construction recommendations contained with the geotechnical reports in accordance with Chapter 15.04 of the Manteca Municipal Code. Project-related structures and buildings would be required to be designed and constructed in compliance with the California Building Code (CBC [California Code of Regulations, Title 24, Part 2]), which contains provisions for earthquake safety based on factors including occupancy type, the types of soil and rock onsite, and the probable strength of ground motion. Therefore, as structures would be designed to meet or exceed CBC standards for earthquake resistance, development of the Project would create less than significant impacts related to seismic ground shaking.

C. Seismic-Related Ground Failure, Including Liquefaction

As previously discussed, soils on the Project site have a plasticity index of 14, and less than a ratio of 0.85. Results of the liquefaction analyses indicate relatively thin and discontinuous sand layers approximately 2 feet in thickness below a depth of 34 feet as potentially liquefiable. Based on the results and the relative thickness of non-liquefiable surface soils and potentially liquefiable soil, the risk of liquefaction is low to moderate. Therefore, total earthquake-induced settlements of up to $\frac{3}{4}$ inch can be expected under the maximum considered earthquake (MCE) as a result of liquefaction. However, due to the relatively thick cap of non-liquefiable soils at the surface of the site, differential settlements are considered to be negligible under the MCE. Nevertheless, the Project would be required to comply with the grading and construction recommendations contained within Sections 5.0 through 9.0 of the geotechnical report (*Technical Appendix F1*) and recommendations of the updated geotechnical report (*Technical Appendix F2*) for the Project site to further reduce the risk of seismic-related ground failure due to liquefaction. The Geotechnical Reports include requirements for: seismic design parameters in accordance with the 2022 CBC, general site clearing, undocumented fill removal, over-optimum soil moisture conditions, fill compaction, footing dimensions, settlement, retaining walls, exterior flatwork, and pavement designs. Specifically, the foundation would be designed to accommodate the cumulative static and seismically induced settlement without collapse of the structure. Furthermore, the Project would be required to be designed and constructed in accordance with applicable seismic safety guidelines, including the standard requirements of the CBC and Chapter 15.04 of the Manteca Municipal Code. Mandatory compliance with the recommendations contained within the Project's Geotechnical Reports (as required by the CBC and Chapter 15.04 of the Manteca Municipal Code) would ensure that the impact remains less than significant. As such, implementation of the Project would not directly or indirectly expose people or structures to substantial hazards associated with seismic-related ground failure and/or liquefaction hazards, and impacts would be less than significant.



D. Landslides

Slope failures in the form of landslides are common during strong seismic shaking in areas of steep hills. The Project site and surrounding area are generally flat with no significant slopes. The Project site is not located within a landslides zone. Accordingly, no impact related to landslide hazards would occur.

Threshold b: Would the Project result in substantial soil erosion or the loss of topsoil?

A. Construction-Related Activities

Under existing conditions, the Project site is currently vacant and covered in routinely disked ruderal grassland. Redevelopment of the Project site would result in the removal of landscaping. Grading and construction activities would occur that would further disturb soils on the property. Disturbed soils would be subject to potential erosion during rainfall events or high winds due to the removal of stabilizing vegetation and building materials (e.g., existing concrete foundations) and exposure of these erodible materials to wind and water.

Pursuant to the requirements of the State Water Resources Control Board, the Project Applicant would be required to obtain coverage under the State's General Construction Storm Water Permit for construction activities (NPDES permit). The NPDES permit is required for all development projects that include construction activities, such as clearing, grading, and/or excavation, that disturb at least one (1) acre of total land area. In addition, the Project would be required to comply with the Central Valley RWQCB's San Joaquin River Basin Water Quality Control Plan.

Compliance with the NPDES permit and the San Joaquin River Basin Water Quality Control Plan involves the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) for construction-related activities. The SWPPP will specify the Best Management Practices BMPs that the Project Applicant will be required to implement during construction activities to ensure that waterborne pollution – including erosion/sedimentation – is prevented, minimized, and/or otherwise appropriately treated prior to surface runoff being discharged from the subject property. Examples of BMPs that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydro-seeding. In addition, the Project would be required to implement erosion and dust control measures pursuant to San Joaquin Valley Air Pollution Control District Rule 8021 to minimize water- and windborne erosion. Mandatory compliance with the SWPPP and the erosion control and dust control measures would reduce, prevent, or minimize soil erosion from Project-related construction activities. Therefore, impacts related to substantial soil erosion or the loss of topsoil would be less than significant.

B. Long-Term Operational Activities

Following construction, wind and water erosion on the Project site would be minimized, as the areas disturbed during construction would be landscaped or covered with impervious surfaces (i.e., building foundations and paved parking areas). Minimal areas of exposed soil would occur in the Project site's landscaped areas.



As described in Section 4.8, *Hydrology and Water Quality*, the Project Applicant is required to prepare and submit to the City a Project-specific Storm Water Quality Management Plan (WQMP). The WQMP is appended to this EIR (*Technical Appendix I*) and has been submitted for City approval. The WQMP is required to identify and implement an effective combination of erosion control and sediment control measures (i.e., BMPs) to reduce or eliminate discharge to surface water from stormwater and non-stormwater discharges. Adherence to the requirements noted in the Project's required WQMP (*Technical Appendix I* of this EIR), as explained in Section 4.8, would ensure that the Project's potential erosion impacts during operation would be less than significant.

Threshold c: *Would the Project 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?*

A. Liquefaction

As discussed above, the potential for liquefaction at the Project site is low to moderate. Project-related structures would be required to be designed and constructed in compliance with the CBC and the recommendations of the Geotechnical Reports. Therefore, impacts would be less than significant.

B. Landslide

As discussed above, the Project site and surrounding area are generally flat with no significant slopes. The Project site is not located within a landslides zone. Accordingly, no impact related to landslide hazards would occur.

C. Lateral Spreading

Lateral spreading is a failure within a nearly horizontal soil zone (possibly due to liquefaction) that causes the overlying soil mass to move toward a free face or down a gentle slope. Since the potential for liquefaction is considered low and the site is relatively flat, the potential for lateral spreading is low (ENGE0, 2017). Impacts would be less than significant.

D. Subsidence

Subsidence is the settlement of soils of very low density generally from either oxidation of organic material, or desiccation and shrinkage, or both, following drainage. Subsidence takes place gradually, usually over a period of several years. Drainage sufficient to create subsidence is uncommon within the City of Manteca (City of Manteca, 2023a). Therefore, impacts would be less than significant.

E. Settlement

Differential settlement of structures typically occurs when heavily irrigated landscape areas are near a building foundation. Due to the relatively thick cap of non-liquefiable soils at the surface of the site, differential settlements are considered negligible under the maximum considered earthquake. As previously discussed, the foundation would be designed to accommodate the cumulative static and seismically induced settlement without collapse of the structure. Mandatory compliance with the



recommendations contained within the Project's Geotechnical Reports (*Technical Appendices F1 and F2* of this EIR) pursuant to CBC and the Manteca Municipal Code would ensure that the impacts are less than significant.

Threshold d: Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Based on the results of the Geotechnical Report (*Technical Appendix F2* of this EIR), undocumented fill was encountered to a depth of approximately 2½ feet to 6 feet and the near-surface soil encountered was non-expansive. Accordingly, the Project site, would not create substantial direct or indirect risks to life or property associated with the presence of expansive soils. The Project would incorporate the construction recommendations contained with the geotechnical reports which includes recommendation if excessively over-optimum (wet) soil moisture conditions and/or expansive clay material are encountered during construction. During excavation, if an expansive clay material is encountered, the soil should be removed or mixed with other non-expansive soil onsite. Soil with a plasticity index greater than 12 inches should not be placed within the upper 24 inches of the building pad. The recommendations also include removal of existing undocumented fill and requirements for acceptable fill. Mandatory compliance with the recommendations contained within the Project's Geotechnical Reports (*Technical Appendix F1 and F2* of this EIR) pursuant to CBC would ensure that the impacts are less than significant.

Threshold e: Would the Project 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?

The Project would connect to the existing wastewater system. The Project would not utilize septic tanks or alternative wastewater systems. No impact would occur.

Threshold f: Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The Project would result in grading to depths of 15 feet below existing grades for underground utilities or localized removals.

A limited subsurface geotechnical evaluation of the Project site consisting of the excavation of two borings to depths of approximately 31 feet below existing ground surface was performed. The two borings found undocumented fill extending to 2 and 6 feet bgs, respectively, with intact sediments consistent with the upper member of the Modesto Formation found below the fill (*Technical Appendix F2* of this EIR).

According to the Paleontological Report (*Technical Appendix F3* of this EIR), most professional paleontologists in California follow the guidelines set forth by Society of Vertebrate Paleontology



(SVP) to determine the potential for paleontological resources. The SVP's guidelines establish detailed protocols for the assessment of the paleontological sensitivity of a project area and outline measures to follow in order to mitigate adverse impacts to known or unknown fossil resources during project development. Since neither the County nor the City has its own paleontological sensitivity map, this analysis uses the SVP's ranking system.

Following the SVP's established process, baseline information is used to assign the paleontological sensitivity of a geologic units to one of four categories— No Potential, Undetermined, Low, and High. Geologic units are considered to be “sensitive” for paleontological resources and have a High Potential if vertebrate or significant invertebrate, plant, or trace fossils have been recovered anywhere in their extent, even if outside the Project area; or if the units are sedimentary rocks that are temporally or lithologically suitable for the preservation of significant fossils.

According to the SVP paleontological sensitivity classifications, the Modesto Formation that underlies the Project site is considered High Sensitivity, as numerous paleontological resource localities have been documented elsewhere within the formation. In addition, the lithology of the Qmu consists of sand and silt deposited in fluvial and alluvial deposits that are conducive to the preservation of paleontological resources. Based on these findings, the Project site is considered to have High Sensitivity. Therefore, there is potential to encounter paleontological resources during ground-disturbing activities and impacts would be potentially significant.

4.5.7 CUMULATIVE IMPACT ANALYSIS

As noted in the foregoing analysis, all potential Project-related direct and indirect impacts related to geology and soils would be addressed through mandatory compliance with the CBSC, the City's Municipal Code, other standard regulatory requirements, and the site-specific recommendations identified in the Geotechnical Report contained within *Technical Appendix F1* of this EIR.

With the exception of erosion hazards, potential hazardous effects related to geologic and soil conditions addressed under Thresholds a, c, d, and e are unique to the Project site and inherently restricted to the specific property proposed for development. That is, issues including fault rupture, seismic ground shaking, liquefaction, landslides, and expansive soils would involve effects to (and not from) a proposed development project, are specific to conditions on the subject property, and are not influenced or exacerbated by the geologic and/or soil hazards that may occur on other, off-site properties. Because of the site-specific nature of these potential hazards and the measures to address them, there would be no direct or indirect connection to similar potential issues or cumulative effects to or from other properties.

As discussed under Threshold b, regulatory requirements mandate that the Project incorporate design measures during construction and long-term operation to ensure that significant erosion impacts do not occur. Other development projects in the vicinity of the Project site would be required to comply with the same regulatory requirements as the Project to preclude substantial adverse water and wind erosion impacts. Because the Project and other projects within the cumulative study area would be subject to



similar mandatory regulatory requirements to control erosion hazards during construction and long-term operation, cumulative impacts associated with wind and water erosion hazards would be less than significant.

This cumulative impact analysis considers development of the Project in conjunction with other development projects and planned development in the vicinity of the Project site that have a potential for uncovering paleontological resources. Generally, impacts relating to paleontological resources are site-specific and addressed on a site-by-site basis. Therefore, as discussed under Threshold f, while there is potential for an impact on a specific site, the impact would not ordinarily extend beyond the site or the immediate surrounding area. There could be circumstances in which a paleontological resource extends over more than one property. Therefore, a cumulative impact could occur to paleontological resources if grading on the Project site in combination with grading activities at an adjacent cumulative project would impact a paleontological resource. However, there are no adjacent cumulative related projects that could potentially combine with the Project to result in impacts to unknown paleontological resources that may lie in the subsurface. Therefore, there would be no cumulative impacts related to paleontological resources.

4.5.8 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold a: Less-than-Significant Impact. Implementation of the Project would not expose people or structures to substantial direct or indirect adverse effects related to liquefaction or fault rupture. The Project site is subject to seismic ground shaking associated with earthquakes; however, mandatory compliance with local and State regulatory requirements, the recommendations contained in the site-specific geotechnical reports (as required by the CBC and Chapter 15.04 of the Manteca Municipal Code) and building codes would ensure that the Project reduces the impact associated with seismic ground shaking to less than significant.

Threshold b: Less-than-Significant Impact. Future development within the Project site would be required to comply with the NPDES permit by preparing and implementing a SWPPP specifying BMPs for minimizing pollution of stormwater with soil and sediment during Project construction. Adherence to the BMPs in the SWPPP would reduce, prevent, or minimize soil erosion from Project-related grading and construction activities. Therefore, impacts related to substantial erosion or the loss of topsoil would be less than significant.

Threshold c: Less-than-Significant Impact. There is low potential for the Project's construction or operation to cause, or be impacted by, on- or off-site landslides or lateral spreading. Impacts relating to landslide, lateral spreading, subsidence, liquefaction, and settlement would be less than significant. Potential hazards associated with settlement and collapse would be precluded through mandatory adherence to the recommendations contained in the site-specific geotechnical reports (as required by the CBC and Chapter 15.04 of the Manteca Municipal Code) during Project construction.

Threshold d: Less-than-Significant Impact. The Project site contains soils that are non-expansive. Potential hazards associated with expansive soils would be precluded through mandatory adherence to



the recommendations contained in the site-specific geotechnical reports (as required by the CBC and Chapter 15.04 of the Manteca Municipal Code) during Project construction; therefore, the Project would not create substantial direct or indirect risks to life or property associated with the presence of expansive soil.

Threshold e: No Impact. No septic tanks or alternative wastewater disposal systems are proposed to be installed on the Project site. Accordingly, no impact would occur associated with soil compatibility for wastewater disposal systems.

Threshold f: Potentially Significant Impact. The Modesto Formation that underlain the Project site is considered High Sensitivity; therefore, the Project would have the potential to directly or indirectly impact a unique paleontological resource before mitigation.

4.5.9 MITIGATION

The following mitigation measures outlined below, are based on the findings stated above. The following mitigation measures, when implemented, would reduce potential impacts to a level below significance:

- MM 4.5-1 Prior to issuance of grading permits, the Project Applicant shall demonstrate that a paleo monitor has been retained to conduct full time monitoring of grading/excavation activities in undisturbed sediments. If paleontological resources are discovered during earth disturbance activities, the discovery shall be cordoned off with a 50-foot radius buffer so as to protect the discovery from further potential damage, and an San Joaquin County Certified Professional Paleontologist shall be consulted to assess the discovery. The Project Applicant shall submit a monitoring and recovery plan for this Project to the City for review, in the event that paleontological resources are uncovered during grading activities. The monitoring and recovery plan shall include the following requirements.
- a. Monitoring of mass grading and excavation activities shall be performed by a qualified paleontologist. Monitoring will be conducted full-time in areas of grading or excavation in undisturbed sediments.
 - b. Paleontological monitors will be equipped to salvage fossils as they are unearthed to avoid construction delays. The monitor must be empowered to temporarily halt or divert equipment to allow removal of fossils in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. The monitor shall notify the project paleontologist, who will then notify the concerned parties of the discovery.



- c. Paleontological salvage during trenching and boring activities is typically from the generated spoils and does not delay the trenching or drilling activities. Fossils will be collected and placed in cardboard flats or plastic buckets and identified by field number, collector, and date collected. Notes will be taken on the map location and stratigraphy of the site, which is photographed before it is vacated and the fossils are removed to a safe place. If the site involves remains from a large terrestrial vertebrate, such as large bone(s) or a mammoth tusk, that is/are too large to be easily removed by a single monitor, a fossil recovery crew shall excavate around the find, encase the find within a plaster and burlap jacket, and remove it after the plaster is set. For large fossils, use of the contractor's construction equipment may be solicited to help remove the jacket to a safe location.
- d. Recovered specimens will be prepared to a point of identification and permanent preservation, including screen-washing sediments to recover small invertebrates and vertebrates.
- e. Recovered specimens shall be identified and curated into a professional, accredited public museum / repository with a commitment to archival conservation and permanent retrievable storage (e.g., University of California Museum of Paleontology). The paleontological curation program should include a written repository agreement prior to the initiation of monitoring activities. Prior to curation, the lead agency (e.g., the City of Manteca Planning Division) will be consulted on the repository/museum to receive the fossil material.
- f. A final report of findings and significance will be prepared, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location(s). The report, when submitted to, and accepted by, the appropriate lead agency, will signify satisfactory completion of the project program to reduce impacts to any potential nonrenewable paleontological resources (i.e., fossils) that might have been lost or otherwise adversely affected without such a program in place.

4.5.10 SIGNIFICANCE OF IMPACTS AFTER MITIGATION

Threshold f: Less than Significant Impact with Mitigation Incorporated. Mitigation Measure MM 4.5-1 would ensure the proper identification and subsequent treatment of any significant paleontological resources that may be encountered during ground-disturbing activities associated with implementation of the Project. With implementation of the required mitigation, the Project's potential impacts to important paleontological resources would be reduced to less than significant.



4.6 GREENHOUSE GAS EMISSIONS

The analysis in this Subsection is based on a technical report prepared by Urban Crossroads titled, *Spreckels Distribution Center Greenhouse Gas Analysis*, dated February 20, 2025, and included as *Technical Appendix G* to this EIR (Urban Crossroads, 2025d). The technical report and analysis in this Subsection assess the Project’s potential to generate GHG emissions that could contribute to global climate change (GCC) and its associated environmental effects.

4.6.1 NOP/SCOPING MEETING COMMENTS

A NOP for the Project was released for public review on December 6, 2024, and an EIR Scoping Meeting was held on December 12, 2024. No comments were made during the EIR Scoping Meeting that pertain to GHG emissions. Additionally, no comments related to GHG emissions were received during the public scoping period.

Additionally, during the MND’s public review period from May 3, 2021 and June 1, 2021, one comment from the DOJ’s Bureau of Environmental Justice was received. Comments received requested a detailed project description, additional technical analysis (e.g., air quality and greenhouse gas emissions modeling), demonstration of consistency with the City’s General Plan, additional feasible mitigation measures, and consultation with responsible agencies. The Project has been revised and analysis has been updated to address concerns from the DOJ’s Bureau of Environmental Justice. Results of the updated greenhouse gas analysis are presented in detail below.

4.6.2 EXISTING CONDITIONS

A. Introduction to Global Climate Change

GCC is defined as the change in average meteorological conditions on the earth with respect to temperature, precipitation, and storms. The majority of scientists believe that the climate shift taking place since the Industrial Revolution is occurring at a quicker rate and magnitude than in the past. Scientific evidence suggests that GCC is the result of increased concentrations of GHGs in the earth’s atmosphere, including carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), and fluorinated gases. The majority of scientists believe that this increased rate of climate change is the result of GHGs created by human activity and industrialization over the past 200 years.

An individual project cannot generate enough GHG emissions to affect a discernible change in global climate. However, the Project may participate in the potential for GCC by its incremental contribution of GHGs combined with the cumulative increase of all other sources of GHGs, which when taken together constitute potential influences on GCC. This section will evaluate the potential for the Project to have a significant effect upon the environment as a result of its potential contribution to GCC.

GCC refers to the change in average meteorological conditions on the earth with respect to temperature, wind patterns, precipitation, and storms. Global temperatures are regulated by naturally occurring atmospheric gases such as water vapor, CO₂, N₂O, CH₄, hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆). These particular gases are important due to their residence time



(duration they stay) in the atmosphere, which ranges from 10 years to more than 100 years. These gases allow solar radiation into the earth’s atmosphere, but prevent radiative heat from escaping, thus warming the earth’s atmosphere. GCC can occur naturally as it has in the past with the previous ice ages.

Gases that trap heat in the atmosphere are often referred to as GHGs. GHGs are released into the atmosphere by both natural and anthropogenic activity. Without the natural GHG effect, the earth’s average temperature would be approximately 61 °F cooler than it is currently. The cumulative accumulation of these gases in the earth’s atmosphere is considered to be the cause for the observed increase in the earth’s temperature.

B. Greenhouse Gases

GHGs trap heat in the atmosphere, creating a GHG effect that results in global warming and climate change. For the purposes of this analysis, emissions of CO₂, CH₄, and N₂O were evaluated because these gases are the primary contributors to GCC from development projects.¹

GHGs have varying Global Warming Potential (GWP) values. GWP of a GHG indicates the amount of warming a gas cause over a given period of time and represents the potential of a gas to trap heat in the atmosphere. CO₂ is utilized as the reference gas for GWP, and thus has a GWP of 1. CO₂ equivalent (CO₂e) is a term used for describing the different GHGs in a common unit. CO₂e signifies the amount of CO₂ which would have the equivalent GWP.

The atmospheric lifetime and GWP of selected GHGs are summarized at Table 4.6-1, *GWP and Atmospheric Lifetime of Select GHGs*. As shown in the table below, GWP for the 2nd Assessment Report, the Intergovernmental Panel on Climate Change (IPCC)’s scientific and socio-economic assessment on climate change, range from 1 for CO₂ to 23,900 for SF₆ and GWP for the IPCC’s 6th Assessment Report range from 1 for CO₂ to 25,200 for SF₆.

Table 4.6-1 GWP and Atmospheric Lifetime of Select GHGs

| Gas | Atmospheric Lifetime (years) | GWP (100-year time horizon) | |
|------------------|------------------------------|-----------------------------------|-----------------------------------|
| | | 2 nd Assessment Report | 6 th Assessment Report |
| CO ₂ | Multiple | 1 | 1 |
| CH ₄ | 11.8 | 21 | 28 |
| N ₂ O | 109 | 310 | 273 |
| HFC-23 | 228 | 11,700 | 14,600 |
| HFC-134a | 14 | 1,300 | 1,526 |

¹ Although there are other substances such as fluorinated gases that also contribute to GCC, these fluorinated gases were not evaluated as their sources are not well-defined and do not contain accepted emissions factors or methodology to accurately calculate these gases.



| Gas | Atmospheric Lifetime (years) | GWP (100-year time horizon) | |
|-----------------|------------------------------|-----------------------------------|-----------------------------------|
| | | 2 nd Assessment Report | 6 th Assessment Report |
| HFC-152a | 1.6 | 140 | 164 |
| SF ₆ | 3,200 | 23,900 | 25,200 |

Provided below is a description of the common gases that contribute to GCC. For more information about these gases and their associated human health effects, refer to Section 2.3 of *Technical Appendix G* to this EIR and the reference sources cited therein.

- CO₂ is an odorless and colorless GHG that is emitted from natural and artificial sources. Natural sources include: the decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Anthropogenic sources include: the burning of coal, oil, natural gas, and wood. Since the industrial revolution began in the mid-1700s, the sort of human activity that increases GHG emissions has increased dramatically in scale and distribution. As an example, prior to the industrial revolution, CO₂ concentrations were fairly stable at 280 parts per million (ppm). Today, they are around 370 ppm, an increase of more than 30%. Exposure to CO₂ in high concentrations can cause human health effects, but outdoor levels are not high enough to adversely affect human health.
- CH₄ is an extremely effective absorber of radiation, though its atmospheric concentration is less than CO₂ and its lifetime in the atmosphere is brief (10-12 years) compared to other GHGs. CH₄ in the atmosphere is generated by many different sources, such as fossil fuel production, transport and use, from the decay of organic matter in wetlands, and as a byproduct of digestion by ruminant animals such as cows. CH₄ is extremely reactive with oxidizers, halogens, and other halogen-containing compounds. Exposure to elevated levels of CH₄ can cause asphyxiation, loss of consciousness, headache and dizziness, nausea and vomiting, weakness, loss of coordination, and an increased breathing rate.
- N₂O concentrations began to rise in the atmosphere at the beginning of the industrial revolution. In 1998, the global concentration was 314 parts per billion (ppb). Nitrous oxide is produced by microbial processes in soil and water, including those reactions which occur in fertilizer containing nitrogen. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load. N₂O is used as an aerosol spray propellant, (e.g., in whipped cream bottles), in potato chip bags to keep chips fresh, and in rocket engines and in race cars. N₂O can be transported into the stratosphere, be deposited on the Earth's surface, and be converted to other compounds by chemical reaction. N₂O can cause dizziness, euphoria, and sometimes slight hallucinations. In small doses, it is considered harmless. However, in some cases, heavy and extended use can cause brain damage.



- Chlorofluorocarbons (CFCs) are gases formed synthetically by replacing all hydrogen atoms in CH₄ or ethane (C₂H₆) with chlorine and/or fluorine atoms. CFCs are nontoxic, nonflammable, insoluble and chemically unreactive in the troposphere (the level of air at the Earth's surface). CFCs have no natural source. They are found in aerosol sprays, blowing agents for foams and packing materials, as solvents, and as refrigerants.
- HFCs are synthetic man-made chemicals that are used as a substitute for CFCs. Out of all GHGs, they are one of three groups with the highest global warming potential. The HFCs with the largest measured atmospheric abundances are (in order), HFC-23, HFC-134a, and HFC-152a. Prior to 1990, the only significant emissions were of HFC-23. HCF-134a emissions are increasing due to its use as a refrigerant. No human health effects are known to result from exposure to HFCs, which are used for applications such as automobile air conditioners and refrigerants.
- PFCs have stable molecular structures and do not break down through chemical processes in the lower atmosphere. Because of this, PFCs have very long lifetimes, between 10,000 and 50,000 years. Two common PFCs are tetrafluoromethane (CF₄) and hexafluoroethane (C₂F₆). The EPA estimates that concentrations of CF₄ in the atmosphere are over 70 ppt. The two main sources of PFCs are primary aluminum production and semiconductor manufacture. No human health effects are known to result from exposure to PFCs.
- SF₆ is an inorganic, odorless, colorless, nontoxic, nonflammable gas. It also has the highest GWP of any gas evaluated (23,900). The EPA indicates that concentrations in the 1990s were about 4 ppt. In high concentrations in confined areas, the gas presents the hazard of suffocation because it displaces the oxygen needed for breathing. Sulfur hexafluoride is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection.
- Nitrogen Trifluoride (NF₃) is a colorless gas with a distinctly moldy odor. The World Resources Institute indicates that NF₃ has a 100-year GWP of 17,200. NF₃ is used in industrial processes and is produced in the manufacturing of semiconductors, Liquid Crystal Display panels, types of solar panels, and chemical lasers. Long-term or repeated exposure may affect the liver and kidneys and may cause fluorosis.

C. Greenhouse Gas Emissions Inventories

1. Global

Worldwide anthropogenic GHG emissions are tracked by the IPCC for industrialized nations (referred to as Annex I) and developing nations (referred to as Non-Annex I). Human GHG emissions data for Annex I nations are available through 2020. Based on the latest available data, the sum of these emissions totaled approximately 28,026,643 gigagram (Gg) CO₂e as summarized in Table 4.6-2, *Top GHG Producing Countries and the European Union*.



Table 4.6-2 Top GHG Producing Countries and the European Union

| Emitting Countries | GHG Emissions (Gg CO₂e) |
|--------------------------------------|---|
| China | 12,300,200 |
| United States | 5,981,354 |
| European Union (27-member countries) | 3,706,110 |
| India | 2,839,420 |
| Russian Federation | 2,051,437 |
| Japan | 1,148,122 |
| Total | 28,026,643 |

2. State of California

California has significantly slowed the rate of growth of GHG emissions due to the implementation of energy efficiency programs as well as adoption of strict emission controls but is still a substantial contributor to the U.S. emissions inventory total. CARB compiles GHG inventories for the State of California. Based upon the 2023 GHG inventory data (i.e., the latest year for which data are available) for the 2000-2020 GHG emissions period, California emitted an average 381.3 million metric tons of CO₂e per year (MMTCO₂e /yr) or 381,300 Gg CO₂e (6.01% of the total United States GHG emissions).

D. Effects of Climate Change in California

Climate change will likely cause shifts in weather patterns, potentially resulting in changes in rainfall levels and volumes, resulting in flooding or droughts, increased wildfire risk, impaired habitats for threatened and endangered species, and food shortages in some areas, among other climate change results. The potential health effects related directly to the emissions of CO₂, CH₄, and N₂O as they relate to development projects such as the Project are still being debated in the scientific community. Their cumulative effects to GCC have the potential to cause adverse effects to human health. Increases in Earth’s ambient temperatures would result in more intense heat waves, causing more heat-related deaths. Higher ambient temperatures could affect disease survival rates and result in more widespread disease. Exhibit 4.6-1, *Summary of Projected Global Warming Impact, 2070-2099 (As Compared With 1961-1990)*, below, presents the potential impacts of global warming.

1. Public Health

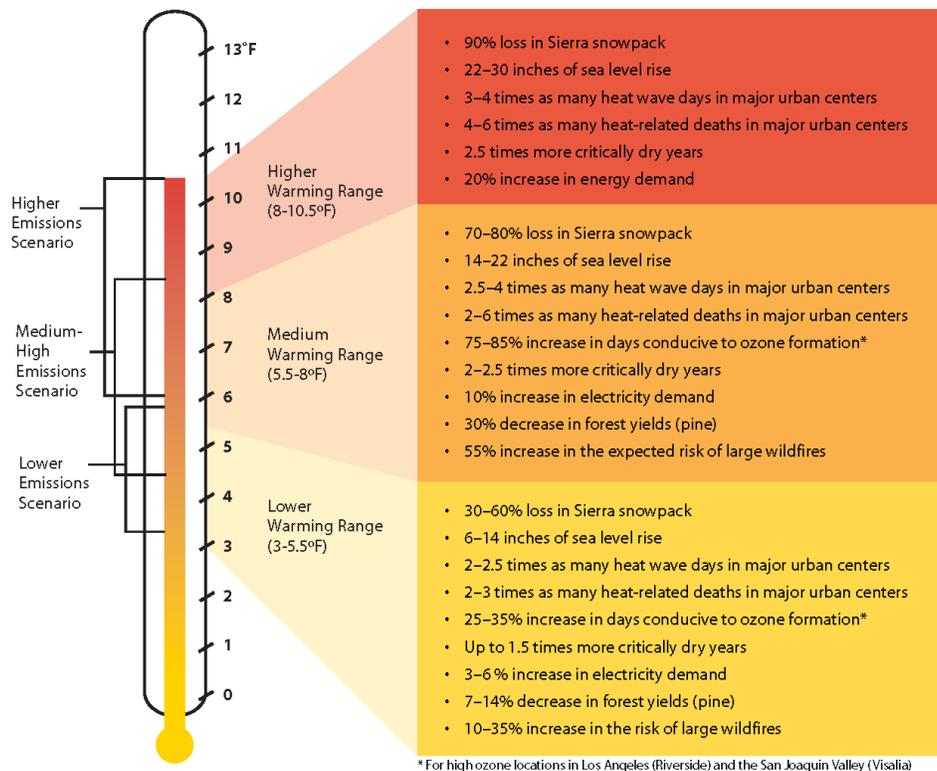
Higher temperatures may increase the frequency, duration, and intensity of conditions conducive to air pollution formation. For example, days with weather conducive to ozone formation could increase from 25 to 35% under the lower warming range to 75 to 85% under the medium warming range. In addition, if global background ozone levels increase as predicted in some scenarios, it may become impossible to meet local air quality standards. Air quality could be further compromised by increases in wildfires, which emit fine particulate matter that can travel long distances, depending on wind conditions. Based on “Our Changing Climate Assessing the Risks to California by the California



Climate Change Center (CCCC),” large wildfires could become up to 55% more frequent if GHG emissions are not significantly reduced. (CCCC, 2006)

In addition, under the higher warming range scenario, there could be up to 100 more days per year with temperatures above 90°F in Los Angeles and 95°F in Sacramento by 2100. This is a significant increase over historical patterns and approximately twice the increase projected if temperatures remain within or below the lower warming range. Rising temperatures could increase the risk of death from dehydration, heat stroke/exhaustion, heart attack, stroke, and respiratory distress caused by extreme heat.

Exhibit 4.6-1: Summary of Projected Global Warming Impact, 2070-2099 (As Compared With 1961-1990)



* For high ozone locations in Los Angeles (Riverside) and the San Joaquin Valley (Visalia)

2. Water Resources

A vast network of man-made reservoirs and aqueducts captures and transports water throughout the state from northern California rivers and the Colorado River. The current distribution system relies on Sierra Nevada snowpack to supply water during the dry spring and summer months. Rising temperatures, potentially compounded by decreases in precipitation, could severely reduce spring snowpack, increasing the risk of summer water shortages.

If temperatures continue to increase, more precipitation could fall as rain instead of snow, and the snow that does fall could melt earlier, reducing the Sierra Nevada spring snowpack by as much as 70 to 90%.



Under the lower warming range scenario, snowpack losses could be only half as large as those possible if temperatures were to rise to the higher warming range. How much snowpack could be lost depends in part on future precipitation patterns, the projections for which remain uncertain. However, even under the wetter climate projections, the loss of snowpack could pose challenges to water managers and hamper hydropower generation. It could also adversely affect winter tourism. Under the lower warming range, the ski season at lower elevations could be reduced by as much as a month. If temperatures reach the higher warming range and precipitation declines, there might be many years with insufficient snow for skiing and snowboarding.

The State's water supplies are also at risk from rising sea levels. An influx of saltwater could degrade California's estuaries, wetlands, and groundwater aquifers. Saltwater intrusion caused by rising sea levels is a major threat to the quality and reliability of water within the southern edge of the Sacramento/San Joaquin River Delta – a major fresh water supply.

3. *Agriculture*

Increased temperatures could cause widespread changes to the agriculture industry reducing the quantity and quality of agricultural products statewide. First, California farmers could possibly lose as much as 25% of the water supply needed. Although higher CO₂ levels can stimulate plant production and increase plant water-use efficiency, California's farmers could face greater water demand for crops and a less reliable water supply as temperatures rise. Crop growth and development could change, as could the intensity and frequency of pest and disease outbreaks. Rising temperatures could aggravate ozone pollution, which makes plants more susceptible to disease and pests and interferes with plant growth.

Plant growth tends to be slow at low temperatures, increasing with rising temperatures up to a threshold. However, faster growth can result in less-than-optimal development for many crops, so rising temperatures could worsen the quantity and quality of yield for a number of California's agricultural products. Products likely to be most affected include wine grapes, fruits, and nuts.

In addition, continued GCC could shift the ranges of existing invasive plants and weeds and alter competition patterns with native plants. Range expansion could occur in many species while range contractions may be less likely in rapidly evolving species with significant populations already established. Should range contractions occur, new or different weed species could fill the emerging gaps. Continued GCC could alter the abundance and types of many pests, lengthen pests' breeding season, and increase pathogen growth rates.

4. *Forests and Landscapes*

GCC has the potential to intensify the current threat to forests and landscapes by increasing the risk of wildfire and altering the distribution and character of natural vegetation. If temperatures rise into the medium warming range, the risk of large wildfires in California could increase by as much as 55%, which is almost twice the increase expected if temperatures stay in the lower warming range. However, since wildfire risk is determined by a combination of factors, including precipitation, winds,



temperature, and landscape and vegetation conditions, future risks would not be uniform throughout the state. In contrast, wildfires in northern California could increase by up to 90% due to decreased precipitation.

Moreover, continued GCC has the potential to alter natural ecosystems and biological diversity within the state. For example, alpine and subalpine ecosystems could decline by as much as 60 to 80% by the end of the century as a result of increasing temperatures. The productivity of the state's forests has the potential to decrease as a result of GCC.

5. *Rising Sea Levels*

Rising sea levels, more intense coastal storms, and warmer water temperatures could increasingly threaten the state's coastal regions. Under the higher warming range scenario, sea level is anticipated to rise 22 to 35 inches by 2100. Elevations of this magnitude would inundate low-lying coastal areas with saltwater, accelerate coastal erosion, threaten vital levees and inland water systems, and disrupt wetlands and natural habitats. Under the lower warming range scenario, sea level could rise 12-14 inches.

4.6.3 REGULATORY FRAMEWORK

A. *International*

1. *Intergovernmental Panel on Climate Change*

In 1988, the United Nations (U.N.) and the World Meteorological Organization established the IPCC to assess the scientific, technical, and socioeconomic information relevant to understanding the scientific basis of risk of human-induced climate change, its potential impacts, and options for adaptation and mitigation.

2. *United Nation's Framework Convention on Climate Change (UNFCCC)*

On March 21, 1994, the U.S. joined a number of countries around the world in signing the Convention. Under the UNFCCC, governments gather and share information on GHG emissions, national policies, and best practices; launch national strategies for addressing GHG emissions and adapting to expected impacts, including the provision of financial and technological support to developing countries; and cooperate in preparing for adaptation to the impacts of climate change.

3. *International Climate Change Treaties*

The Kyoto Protocol is an international agreement linked to the UNFCCC. The major feature of the Kyoto Protocol is that it sets binding targets for 37 industrialized countries and the European community for reducing GHG emissions at an average of 5% against 1990 levels over the five-year period 2008–2012. The Convention (as discussed above) encouraged industrialized countries to stabilize emissions; however, the Protocol commits them to do so. Developed countries have contributed more emissions over the last 150 years; therefore, the Protocol places a heavier burden on developed nations under the principle of “common but differentiated responsibilities.”



In 2001, President George W. Bush indicated that he would not submit the treaty to the U.S. Senate for ratification, which effectively ended American involvement in the Kyoto Protocol. In December 2009, international leaders met in Copenhagen to address the future of international climate change commitments post-Kyoto. No binding agreement was reached in Copenhagen; however, the UN Climate Change Committee identified the long-term goal of limiting the maximum global average temperature increase to no more than 2 degrees Celsius (°C) above pre-industrial levels, subject to a review in 2015. The Committee held additional meetings in Durban, South Africa in November 2011; Doha, Qatar in November 2012; and Warsaw, Poland in November 2013. The meetings gradually gained consensus among participants on individual climate change issues.

On September 23, 2014, more than 100 Heads of State and Government and leaders from the private sector and civil society met at the Climate Summit in New York hosted by the U.N. At the Summit, heads of government, business and civil society announced actions in areas that would have the greatest impact on reducing emissions, including climate finance, energy, transport, industry, agriculture, cities, forests, and building resilience.

Parties to the UNFCCC reached a landmark agreement on December 12, 2015, in Paris, charting a fundamentally new course in the two-decade-old global climate effort. Culminating a four-year negotiating round, the new treaty ends the strict differentiation between developed and developing countries that characterized earlier efforts, replacing it with a common framework that commits all countries to put forward their best efforts and to strengthen them in the years ahead. This includes, for the first time, requirements that all parties report regularly on their emissions and implementation efforts and undergo international review.

The agreement and a companion decision by parties were the key outcomes of the conference, known as the 21st session of the UNFCCC Conference of the Parties (COP) 21. Together, the Paris Agreement and the accompanying COP decision:

- Reaffirm the goal of limiting global temperature increase well below 2°C, while urging efforts to limit the increase to 1.5 degrees;
- Establish binding commitments by all parties to make “nationally determined contributions” (NDCs), and to pursue domestic measures aimed at achieving them;
- Commit all countries to report regularly on their emissions and “progress made in implementing and achieving” their NDCs, and to undergo international review;
- Commit all countries to submit new NDCs every five years, with the clear expectation that they would “represent a progression” beyond previous ones;
- Reaffirm the binding obligations of developed countries under the UNFCCC to support the efforts of developing countries, while for the first time encouraging voluntary contributions by developing countries too;



- Extend the current goal of mobilizing \$100 billion a year in support by 2020 through 2025, with a new, higher goal to be set for the period after 2025;
- Extend a mechanism to address “loss and damage” resulting from climate change, which explicitly would not “involve or provide a basis for any liability or compensation;”
- Require parties engaging in international emissions trading to avoid “double counting;” and;
- Call for a new mechanism, similar to the Clean Development Mechanism under the Kyoto Protocol, enabling emission reductions in one country to be counted toward another country’s NDC.

Following President Biden’s day one executive order, the United States officially rejoined the landmark Paris Agreement on February 19, 2021, positioning the country to once again be part of the global climate solution. Meanwhile, city, state, business, and civic leaders across the country and around the world have been ramping up efforts to drive the clean energy advances needed to meet the goals of the agreement and put the brakes on dangerous climate change.

B. Federal

1. Federal Regulation and the Clean Air Act

Prior to the last decade, there have been no concrete federal regulations of GHGs or major planning for climate change adaptation. The following are actions regarding the federal government, GHGs, and fuel efficiency.

In “Massachusetts v. Environmental Protection Agency 549 U.S. 497” (2007), decided on April 2, 2007, the United States Supreme Court (Supreme Court) found that four GHGs, including CO₂, are air pollutants subject to regulation under Section 202(a)(1) of the CAA. The Supreme Court held that the EPA Administrator must determine whether emissions of GHGs from new motor vehicles cause or contribute to air pollution, which may reasonably be anticipated to endanger public health or welfare, or whether the science is too uncertain to make a reasoned decision. On December 7, 2009, the EPA Administrator signed two distinct findings regarding GHGs under section 202(a) of the CAA:

- **Endangerment Finding:** The Administrator finds that the current and projected concentrations of the six key well-mixed GHGs— CO₂, CH₄, N₂O, HFCs, PFCs, and SF₆ —in the atmosphere threaten the public health and welfare of current and future generations.
- **Cause or Contribute Finding:** The Administrator finds that the combined emissions of these well-mixed GHGs from new motor vehicles and new motor vehicle engines contribute to the GHG pollution, which threatens public health and welfare.



These findings do not impose requirements on industry or other entities. However, this was a prerequisite for implementing GHG emissions standards for vehicles, as discussed in the Section 2.7.2 “Clean Vehicles” in *Technical Appendix G* of this EIR.

2. *Mandatory Reporting of GHGs*

The Consolidated Appropriations Act of 2008, passed in December 2007, requires the establishment of mandatory GHG reporting requirements. On September 22, 2009, the EPA issued the Final Mandatory Reporting of GHGs Rule, which became effective January 1, 2010. The rule requires reporting of GHG emissions from large sources and suppliers in the U.S. and is intended to collect accurate and timely emissions data to inform future policy decisions. Under the rule, suppliers of fossil fuels or industrial GHGs, manufacturers of vehicles and engines, and facilities that emit 25,000 metric tons per year (MT/yr) or more of GHG emissions are required to submit annual reports to the EPA.

3. *Executive Order 13990*

On January 20, 2021, Federal agencies were directed to immediately review, and take action to address, Federal regulations promulgated and other actions taken during the last 4 years that conflict with national objectives to improve public health and the environment; ensure access to clean air and water; limit exposure to dangerous chemicals and pesticides; hold polluters accountable, including those who disproportionately harm communities of color and low-income communities; reduce GHG emissions; bolster resilience to the impacts of climate change; restore and expand our national treasures and monuments; and prioritize both environmental justice and employment.

4. *Clean Vehicles*

Congress first passed the Corporate Average Fuel Economy law in 1975 to increase the fuel economy of cars and light duty trucks. The law has become more stringent over time. On May 19, 2009, President Obama put in motion a new national policy to increase fuel economy for all new cars and trucks sold in the U.S. On April 1, 2010, the EPA, and the Department of Transportation’s National Highway Traffic Safety Administration (NHTSA) announced a joint final rule establishing a national program that would reduce GHG emissions and improve fuel economy for new cars and trucks sold in the U.S. The first phase of the national program applies to passenger cars, light-duty trucks, and medium-duty (MD) passenger vehicles, covering model years 2012 through 2016. They require these vehicles to meet an estimated combined average emissions level of 250 grams of CO₂ per mile, equivalent to 35.5 miles per gallon (mpg) if the automobile industry were to meet this CO₂ level solely through fuel economy improvements. Together, these standards would cut CO₂ emissions by an estimated 960 million metric tons and 1.8 billion barrels of oil over the lifetime of the vehicles sold under the program (model years 2012–2016). In August 2012, the EPA and the NHTSA issued final rules on a second-phase joint rulemaking establishing national standards for light-duty vehicles for model years 2017 through 2025. The new standards apply to passenger cars, light-duty trucks, and MD passenger vehicles. The final standards are projected to result in an average industry fleetwide level of 163 grams/mile of CO₂ in model year 2025, which is equivalent to 54.5 mpg if achieved exclusively through fuel economy improvements.



The EPA and the U.S. Department of Transportation issued final rules for the first national standards to reduce GHG emissions and improve fuel efficiency of heavy-duty trucks (HDT) and buses on September 15, 2011, effective November 14, 2011. For combination tractors, the agencies are proposing engine and vehicle standards that begin in the 2014 model year and achieve up to a 20% reduction in CO₂ emissions and fuel consumption by the 2018 model year. For HDT and vans, the agencies are proposing separate gasoline and diesel truck standards, which phase in starting in the 2014 model year and achieve up to a 10% reduction for gasoline vehicles and a 15% reduction for diesel vehicles by the 2018 model year (12 and 17%, respectively if accounting for air conditioning leakage). Lastly, for vocational vehicles, the engine and vehicle standards would achieve up to a 10% reduction in fuel consumption and CO₂ emissions from the 2014 to 2018 model years.

On April 2, 2018, the EPA signed the Mid-term Evaluation Final Determination, which declared that the MY 2022-2025 GHG standards are not appropriate and should be revised. This Final Determination serves to initiate a notice to further consider appropriate standards for MY 2022-2025 light-duty vehicles. On August 2, 2018, the NHTSA in conjunction with the EPA, released a notice of proposed rulemaking, the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks (SAFE Vehicles Rule). The SAFE Vehicles Rule was proposed to amend existing Corporate Average Fuel Economy (CAFE) and tailpipe CO₂ standards for passenger cars and light trucks and to establish new standards covering model years 2021 through 2026. As of March 31, 2020, the NHTSA and EPA finalized the SAFE Vehicle Rule which increased stringency of CAFE and CO₂ emissions standards by 1.5% each year through model year 2026.

5. *New Source Review*

The EPA issued a final rule on May 13, 2010, that establishes thresholds for GHGs that define when permits under the New Source Review Prevention of Significant Deterioration and Title V Operating Permit programs are required for new and existing industrial facilities. This final rule “tailors” the requirements of these CAA permitting programs to limit which facilities would be required to obtain Prevention of Significant Deterioration and Title V permits. In the preamble to the revisions to the Federal Code of Regulations, the EPA states:

This rulemaking is necessary because without it the Prevention of Significant Deterioration and Title V requirements would apply, as of January 2, 2011, at the 100 or 250 tons per year levels provided under the CAA, greatly increasing the number of required permits, imposing undue costs on small sources, overwhelming the resources of permitting authorities, and severely impairing the functioning of the programs. EPA is relieving these resource burdens by phasing in the applicability of these programs to GHG sources, starting with the largest GHG emitters. This rule establishes two initial steps of the phase-in. The rule also commits the agency to take certain actions on future steps addressing smaller sources but excludes certain smaller sources from Prevention of Significant Deterioration and Title V permitting for GHG emissions until at least April 30, 2016.



The EPA estimates that facilities responsible for nearly 70% of the national GHG emissions from stationary sources would be subject to permitting requirements under this rule. This includes the nation's largest GHG emitters—power plants, refineries, and cement production facilities.

6. *Standards of Performance for GHG Emissions for New Stationary Sources: Electric Utility Generating Units*

As required by a settlement agreement, the EPA proposed new performance standards for emissions of CO₂ for new, affected, fossil fuel-fired electric utility generating units on March 27, 2012. New sources greater than 25 megawatts (MW) would be required to meet an output-based standard of 1,000 pounds (lbs) of CO₂ per MW-hour (MWh), based on the performance of widely used natural gas combined cycle technology. It should be noted that on February 9, 2016, the Supreme Court issued a stay of this regulation pending litigation. Additionally, the current EPA Administrator has also signed a measure to repeal the Clean Power Plan, including the CO₂ standards. The Clean Power Plan was officially repealed on June 19, 2019, when the EPA issued the final Affordable Clean Energy rule (ACE). Under ACE, new state emission guidelines were established that provided existing coal-fired electric utility generating units with achievable standards.

7. *Cap-And-Trade*

Cap-and-trade refers to a policy tool where emissions are limited to a certain amount and can be traded or provides flexibility on how the emitter can comply. Successful examples in the U.S. include the Acid Rain Program and the N₂O Budget Trading Program and Clean Air Interstate Rule in the northeast. There is no federal GHG cap-and-trade program currently; however, some states have joined to create initiatives to provide a mechanism for cap-and-trade.

The Regional GHG Initiative is an effort to reduce GHGs among the states of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont. Each state caps CO₂ emissions from power plants, auctions CO₂ emission allowances, and invests the proceeds in strategic energy programs that further reduce emissions, save consumers money, create jobs, and build a clean energy economy. The Initiative began in 2008 and has retained all participating states as of 2020.

The Western Climate Initiative (WCI) partner jurisdictions have developed a comprehensive initiative to reduce regional GHG emissions to 15% below 2005 levels by 2020. The partners were originally California, British Columbia, Manitoba, Ontario, and Quebec. However, Manitoba and Ontario are not currently participating. California linked with Quebec's cap-and-trade system January 1, 2014, and joint offset auctions took place in 2015. While the WCI has yet to publish whether it has successfully reached the 2020 emissions goal initiative set in 2007, SB 32 requires that California, a major partner in the WCI, adopt the goal of reducing statewide GHG emissions to 40% below the 1990 level by 2030.



8. *SmartWay Program*

The SmartWay Program is a public-private initiative between the EPA, large and small trucking companies, rail carriers, logistics companies, commercial manufacturers, retailers, and other federal and state agencies. Its purpose is to improve fuel efficiency and the environmental performance (reduction of both GHG emissions and air pollution) of the goods movement supply chains. SmartWay is comprised of four components:

1. **SmartWay Transport Partnership:** A partnership in which freight carriers and shippers commit to benchmark operations, track fuel consumption, and improve performance annually.
2. **SmartWay Technology Program:** A testing, verification, and designation program to help freight companies identify equipment, technologies, and strategies that save fuel and lower emissions.
3. **SmartWay Vehicles:** A program that ranks light-duty cars and small trucks and identifies superior environmental performers with the SmartWay logo.
4. **SmartWay International Interests:** Guidance and resources for countries seeking to develop freight sustainability programs modeled after SmartWay.

SmartWay effectively refers to requirements geared towards reducing fuel consumption. Most large trucking fleets driving newer vehicles are compliant with SmartWay design requirements. Moreover, over time, all HDTs would have to comply with the CARB GHG Regulation that is designed with the SmartWay Program in mind, to reduce GHG emissions by making them more fuel-efficient. For instance, in 2015, 53 foot or longer dry vans or refrigerated trailers equipped with a combination of SmartWay-verified low-rolling resistance tires and SmartWay-verified aerodynamic devices would obtain a total of 10% or more fuel savings over traditional trailers.

Through the SmartWay Technology Program, the EPA has evaluated the fuel-saving benefits of various devices through grants, cooperative agreements, emissions, and fuel economy testing, demonstration projects and technical literature review. As a result, the EPA has determined the following types of technologies provide fuel saving and/or emission reducing benefits when used properly in their designed applications, and has verified certain products:

- Idle reduction technologies – less idling of the engine when it is not needed would reduce fuel consumption.
- Aerodynamic technologies minimize drag and improve airflow over the entire tractor-trailer vehicle. Aerodynamic technologies include gap fairings that reduce turbulence between the tractor and trailer, side skirts that minimize wind under the trailer, and rear fairings that reduce turbulence and pressure drop at the rear of the trailer.



- Low rolling resistance tires can roll longer without slowing down, thereby reducing the amount of fuel used. Rolling resistance (or rolling friction or rolling drag) is the force resisting the motion when a tire rolls on a surface. The wheel would eventually slow down because of this resistance.
- Retrofit technologies include things such as diesel particulate filters, emissions upgrades (to a higher tier), etc., which would reduce emissions.
- Federal excise tax exemptions.

9. *Executive Order 13990*

On January 20, 2021, Federal agencies were directed to immediately review, and take action to address, Federal regulations promulgated and other actions taken during the last 4 years that conflict with national objectives to improve public health and the environment; ensure access to clean air and water; limit exposure to dangerous chemicals and pesticides; hold polluters accountable, including those who disproportionately harm communities of color and low-income communities; reduce greenhouse gas emissions; bolster resilience to the impacts of climate change; restore and expand our national treasures and monuments; and prioritize both environmental justice and employment.

C. *State*

1. *Title 24 Building Energy Standards*

The California Energy Commission (CEC) first adopted Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6) in 1978 in response to a legislative mandate to reduce energy consumption in the state. Although not originally intended to reduce GHG emissions, increased energy efficiency, and reduced consumption of electricity, natural gas, and other fuels would result in fewer GHG emissions from residential and nonresidential buildings subject to the standard. The standards are updated periodically to allow for the consideration and inclusion of new energy efficiency technologies and methods. The latest revisions (2022 Building Energy Efficiency Standards) became effective on January 1, 2023.

Part 11 of Title 24 is referred to as the California Green Building Standards Code (CALGreen Code). The purpose of the CALGreen Code is to “improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: (1) Planning and design; (2) Energy efficiency; (3) Water efficiency and conservation; (4) Material conservation and resource efficiency; and (5) Environmental air quality.” The CALGreen Code is not intended to substitute or be identified as meeting the certification requirements of any green building program that is not established and adopted by the California Building Standards Commission (CBSC). Unless otherwise noted in the regulation, all newly constructed buildings in California are subject of the requirements of the CALGreen Code.



2. Senate Bill 375 (SB 375)

On September 30, 2008, SB 375 was signed by Governor Schwarzenegger. According to SB 375, the transportation sector is the largest contributor of GHG emissions, which emits over 40% of the total GHG emissions in California. SB 375 states, “Without improved land use and transportation policy, California would not be able to achieve the goals of AB 32.” SB 375 does the following: it (1) requires metropolitan planning organizations (MPOs) to include sustainable community strategies in their regional transportation plans for reducing GHG emissions; (2) aligns planning for transportation and housing; and (3) creates specified incentives for the implementation of the strategies.

SB 375 requires MPOs to prepare a Sustainable Communities Strategy (SCS) within the Regional Transportation Plan (RTP) that guides growth while taking into account the transportation, housing, environmental, and economic needs of the region. SB 375 uses CEQA streamlining as an incentive to encourage residential projects, which help achieve AB 32 goals to reduce GHG emissions. Although SB 375 does not prevent CARB from adopting additional regulations, such actions are not anticipated in the foreseeable future.

Concerning CEQA, SB 375, as codified in Public Resources Code Section 21159.28, states that CEQA findings for certain projects are not required to reference, describe, or discuss (1) growth inducing impacts, or (2) any project-specific or cumulative impacts from cars and light-duty truck trips generated by the project on global warming or the regional transportation network, if the project:

1. Is in an area with an approved sustainable communities strategy or an alternative planning strategy that CARB accepts as achieving the GHG emission reduction targets.
2. Is consistent with that strategy (in designation, density, building intensity, and applicable policies).
3. Incorporates the MMs required by an applicable prior environmental document.

3. California Assembly Bill No. 1493 (AB 1493)

Enacted on July 22, 2002, California AB 1493, also known as the Pavley Fuel Efficiency Standards, required CARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light duty trucks. Implementation of the regulation was delayed by lawsuits filed by automakers and by the EPA’s denial of an implementation waiver. The EPA subsequently granted the requested waiver in 2009, which was upheld by the U.S. District Court for the District of Columbia in 2011.

The standards phase in during the 2009 through 2016 MY. Several technologies stand out as providing significant reductions in emissions at favorable costs. These include discrete variable valve lift or camless valve actuation to optimize valve operation rather than relying on fixed valve timing and lift as has historically been done; turbocharging to boost power and allow for engine downsizing; improved multi-speed transmissions; and improved air conditioning systems that operate optimally, leak less, and/or use an alternative refrigerant.



The second phase of the implementation for the Pavley bill was incorporated into Amendments to the Low-Emission Vehicle Program (LEV III) or the Advanced Clean Cars (ACC) program. The ACC program combines the control of smog-causing pollutants and GHG emissions into a single coordinated package of requirements for MY 2017 through 2025. The regulation will reduce GHGs from new cars by 34% from 2016 levels by 2025. The new rules will clean up gasoline and diesel-powered cars, and deliver increasing numbers of zero-emission technologies, such as full battery electric cars, newly emerging plug-in hybrid EV and hydrogen fuel cell cars. The package will also ensure adequate fueling infrastructure is available for the increasing numbers of hydrogen fuel cell vehicles planned for deployment in California. On March 9, EPA reinstated California's authority under the Clean Air Act to implement its own GHG emission standards for cars and light trucks, which other states can also adopt and enforce. With this authority restored, EPA will continue partnering with states to advance the next generation of clean vehicle technologies.

4. *Clean Energy and Pollution Reduction Act of 2015 (SB 350)*

In October 2015, the legislature approved, and Governor Jerry Brown signed SB 350, which reaffirms California's commitment to reducing its GHG emissions and addressing climate change. Key provisions include an increase in the RPS, higher energy efficiency requirements for buildings, initial strategies towards a regional electricity grid, and improved infrastructure for EV charging stations. Provisions for a 50% reduction in the use of petroleum statewide were removed from the Bill because of opposition and concern that it would prevent the Bill's passage. Specifically, SB 350 requires the following to reduce statewide GHG emissions:

- Increase the amount of electricity procured from renewable energy sources from 33% to 50% by 2030, with interim targets of 40% by 2024, and 45% by 2027.
- Double the energy efficiency in existing buildings by 2030. This target would be achieved through the California Public Utilities Commission (CPUC), the California Energy Commission (CEC), and local publicly owned utilities.
- Reorganize the Independent System Operator (ISO) to develop more regional electrify transmission markets and to improve accessibility in these markets, which would facilitate the growth of renewable energy markets in the western United States.

5. *Senate Bill 32 (SB 32)*

On September 8, 2016, Governor Brown signed SB 32 and its companion bill, AB 197. SB 32 requires the state to reduce statewide GHG emissions to 40% below 1990 levels by 2030, a reduction target that was first introduced in Executive Order B-30-15. The new legislation builds upon the AB 32 goal and provides an intermediate goal to achieving S-3-05, which sets a statewide GHG reduction target of 80% below 1990 levels by 2050. AB 197 creates a legislative committee to oversee regulators to ensure that CARB not only responds to the Governor, but also the Legislature.



6. 2022 CARB Scoping Plan

On December 15, 2022, CARB adopted the 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan). The 2022 Scoping Plan builds on the 2017 Scoping Plan as well as the requirements set forth by AB 1279, which directs the state to become carbon neutral no later than 2045. To achieve this statutory objective, the 2022 Scoping Plan lays out how California can reduce GHG emissions by 85% below 1990 levels and achieve carbon neutrality by 2045. The Scoping Plan scenario to do this is to “deploy a broad portfolio of existing and emerging fossil fuel alternatives and clean technologies, and align with statutes, Executive Orders, Board direction, and direction from the governor.” The 2022 Scoping Plan sets one of the most aggressive approaches to reach carbon neutrality in the world. Unlike the 2017 Scoping Plan, CARB no longer includes a numeric per capita threshold and instead advocates for compliance with a local GHG reduction strategy (Climate Action Plan [CAP]) consistent with CEQA Guidelines section 15183.5.

The key elements of the 2022 CARB Scoping Plan focus on transportation - the regulations that will impact this sector are adopted and enforced by CARB on vehicle manufacturers and outside the jurisdiction and control of local governments.

7. Cap-and-Trade Program

The 2017 Scoping Plan identifies a Cap-and-Trade Program as one of the key strategies for California to reduce GHG emissions. According to CARB, a cap-and-trade program would help put California on the path to meet its goal of achieving a 40% reduction in GHG emissions from 1990 levels by 2030. Under cap-and-trade, an overall limit on GHG emissions from capped sectors is established, and facilities subject to the cap would be able to trade permits to emit GHGs within the overall limit.

CARB adopted a California Cap-and-Trade Program pursuant to its authority under AB 32. The Cap-and-Trade Program is designed to reduce GHG emissions from regulated entities by more than 16% between 2013 and 2020, and by an additional 40% by 2030. The statewide cap for GHG emissions from the capped sectors (e.g., electricity generation, petroleum refining, and cement production) commenced in 2013 and would decline over time, achieving GHG emission reductions throughout the program’s duration.

Covered entities that emit more than 25,000 MTCO_{2e}/yr must comply with the Cap-and-Trade Program. Triggering of the 25,000 MTCO_{2e}/yr “inclusion threshold” is measured against a subset of emissions reported and verified under the California Regulation for the Mandatory Reporting of GHG Emissions (Mandatory Reporting Rule or “MRR”).

Under the Cap-and-Trade Program, CARB issues allowances equal to the total amount of allowable emissions over a given compliance period and distributes these to regulated entities. Covered entities are allocated free allowances in whole or part (if eligible), and may buy allowances at auction, purchase allowances from others, or purchase offset credits. Each covered entity with a compliance obligation is required to surrender “compliance instruments” for each MTCO_{2e} of GHG they emit. There also are



requirements to surrender compliance instruments covering 30% of the prior year's compliance obligation by November of each year.

The Cap-and-Trade Program provides a firm cap, which provides the highest certainty of achieving the 2030 target. An inherent feature of the Cap-and-Trade program is that it does not guarantee GHG emissions reductions in any discrete location or by any particular source. Rather, GHG emissions reductions are only guaranteed on an accumulative basis. As summarized by CARB in the First Update to the Climate Change Scoping Plan:

The Cap-and-Trade Regulation gives companies the flexibility to trade allowances with others or take steps to cost-effectively reduce emissions at their own facilities. Companies that emit more have to turn in more allowances or other compliance instruments. Companies that can cut their GHG emissions have to turn in fewer allowances. But as the cap declines, aggregate emissions must be reduced. In other words, a covered entity theoretically could increase its GHG emissions every year and still comply with the Cap-and-Trade Program if there is a reduction in GHG emissions from other covered entities. Such a focus on aggregate GHG emissions is considered appropriate because climate change is a global phenomenon, and the effects of GHG emissions are considered cumulative.

The Cap-and-Trade Program covers approximately 80% of California's GHG emissions. The Cap-and-Trade Program covers the GHG emissions associated with electricity consumed in California, whether generated in-state or imported. Accordingly, GHG emissions associated with CEQA projects' electricity usage are covered by the Cap-and-Trade Program. The Cap-and-Trade Program also covers fuel suppliers (natural gas and propane fuel providers and transportation fuel providers) to address emissions from such fuels and from combustion of other fossil fuels not directly covered at large sources in the Program's first compliance period. The Cap-and-Trade Program covers the GHG emissions associated with the combustion of transportation fuels in California, whether refined in-state or imported.

8. *Executive Order S-3-05*

Executive Order (EO) S-3-05 documents GHG emission reduction goals, creates the Climate Action Team and directs the Secretary of the California EPA to coordinate efforts with meeting the GHG reduction targets with the heads of other state agencies. The EO requires the Secretary to report back to the Governor and Legislature biannually to report: progress toward meeting the GHG goals; GHG impacts to California; and applicable Mitigation and Adaptation Plans. EO S-3-05 goals for GHG emissions reductions include: reducing GHG emissions to 2000 levels by the year 2010; reducing GHG emissions to 1990 levels by the year 2020; and reducing GHG emissions to 80 percent below 1990 levels by 2050.



9. *Executive Order S-01-08 (LCFS)*

Governor Schwarzenegger signed Executive Order S-01-07 on January 18, 2007. The order mandates that a statewide goal shall be established to reduce the carbon intensity of California’s transportation fuels by at least 10% by 2020. CARB adopted the Low Carbon Fuel Standard (LCFS) on April 23, 2009.

The LCFS was challenged in the U.S. District Court in Fresno in 2011. The court’s ruling issued on December 29, 2011, included a preliminary injunction against CARB’s implementation of the rule. The Ninth Circuit Court of Appeals stayed the injunction on April 23, 2012, pending final ruling on appeal, allowing CARB to continue to implement and enforce the regulation. The Ninth Circuit Court’s decision, filed September 18, 2013, vacated the preliminary injunction. In essence, the court held that LCFS adopted by CARB were not in conflict with federal law. On August 8, 2013, the Fifth District Court of Appeal (California) ruled CARB failed to comply with CEQA and the Administrative Procedure Act (APA) when adopting regulations for LCFS. In a partially published opinion, the Court of Appeal reversed the trial court’s judgment and directed issuance of a writ of mandate setting aside Resolution 09-31 and two executive orders of CARB approving LCFS regulations promulgated to reduce GHG emissions. However, the court tailored its remedy to protect the public interest by allowing the LCFS regulations to remain operative while CARB complies with the procedural requirements it failed to satisfy.

To address the Court ruling, CARB was required to bring a new LCFS regulation to the Board for consideration in February 2015. The proposed LCFS regulation was required to contain revisions to the 2010 LCFS as well as new provisions designed to foster investments in the production of the low-carbon intensity fuels, offer additional flexibility to regulated parties, update critical technical information, simplify, and streamline program operations, and enhance enforcement. On November 16, 2015, the Office of Administrative Law (OAL) approved the Final Rulemaking Package. The new LCFS regulation became effective on January 1, 2016.

In 2018, CARB approved amendments to the regulation, which included strengthening the carbon intensity benchmarks through 2030 in compliance with the SB 32 GHG emissions reduction target for 2030. The amendments included crediting opportunities to promote zero emission vehicle adoption, alternative jet fuel, carbon capture and sequestration, and advanced technologies to achieve deep decarbonization in the transportation sector.

10. *Executive Order S-13-08*

Executive Order S-13-08 states that “climate change in California during the next century is expected to shift precipitation patterns, accelerate sea level rise and increase temperatures, thereby posing a serious threat to California’s economy, to the health and welfare of its population and to its natural resources.” Pursuant to the requirements in the Order, the “2009 California Climate Adaptation Strategy (California Natural Resources Agency [CNRA] 2009)” was adopted, which is the “...first statewide, multi-sector, region-specific, and information-based climate change adaptation strategy in



the United States.” Objectives include analyzing risks of climate change in California, identifying, and exploring strategies to adapt to climate change, and specifying a direction for future research.

11. *Executive Order B-30-15*

On April 29, 2015, Governor Brown issued an executive order to establish a California GHG reduction target of 40% below 1990 levels by 2030. The Governor’s executive order aligned California’s GHG reduction targets with those of leading international governments ahead of the U.N. Climate Change Conference in Paris late 2015. The Order sets a new interim statewide GHG emission reduction target to reduce GHG emissions to 40% below 1990 levels by 2030 in order to ensure California meets its target of reducing GHG emissions to 80% below 1990 levels by 2050 and directs CARB to update the 2017 Scoping Plan to express the 2030 target in terms of MMTCO₂e. The Order also requires the state’s climate adaptation plan to be updated every three years, and for the State to continue its climate change research program, among other provisions. As with Executive Order S-3-05, this Order is not legally enforceable to local governments and the private sector. Legislation that would update AB 32 to make post 2020 targets and requirements a mandate is in process in the State Legislature.

12. *Executive Order B-55-18 and SB 100*

SB 100 and Executive Order B-55-18 were signed by Governor Brown on September 10, 2018. Under the existing RPS, 25% of retail sales of electricity are required to be from renewable sources by December 31, 2016, 33% by December 31, 2020, 40% by December 31, 2024, 45% by December 31, 2027, and 50% by December 31, 2030. SB 100 raises California’s RPS requirement to 50% renewable resources target by December 31, 2026, and to achieve a 60% target by December 31, 2030. SB 100 also requires that retail sellers and local publicly owned electric utilities procure a minimum quantity of electricity products from eligible renewable energy resources so that the total kilowatt hours (kWh) of those products sold to their retail end-use customers achieve 44% of retail sales by December 31, 2024, 52% by December 31, 2027, and 60% by December 31, 2030. In addition to targets under AB 32 and SB 32, Executive Order B-55-18 establishes a carbon neutrality goal for the state of California by 2045; and sets a goal to maintain net negative emissions thereafter. The Executive Order directs the CNRA, California EPA, the California Department of Food and Agriculture, and CARB to include sequestration targets in the Natural and Working Lands Climate Change Implementation Plan consistent with the carbon neutrality goal.

13. *Executive Order N-79-20 and Advanced Clean Cars II*

On August 25, 2022 CARB approved the Advanced Clean Cars II rule, which codifies the goals set out in Executive Order N-79-20 and establishes a year-by-year roadmap such that by 2035, 100% of new cars and light trucks sold in California will be zero-emission vehicles. Under this regulation, automakers are required to accelerate deliveries of zero-emission light-duty vehicles, beginning with model year 2026. CARB estimates that the regulation would reduce GHG emissions from light-duty vehicles by 50% by 2040, and that from 2026 to 2040, GHG emissions would be reduced by a cumulative 395 million metric tons.



14. Title 20 CCR Sections 1602 et seq. – Appliance Energy Regulations

The Appliance Efficiency Regulations regulate the sale of appliances in California. The Appliance Efficiency Regulations include standards for both federally regulated appliances and non-federally regulated appliances. Twenty-three categories of appliances are included in the scope of these regulations. The standards within these regulations apply to appliances that are sold or offered for sale in California, except those sold wholesale in California for final retail sale outside the state and those designed and sold exclusively for use in recreational vehicles (RV) or other mobile equipment.

D. Regional

1. San Joaquin Valley Air Pollution Control District

In December 2009, SJVAPCD published Guidance for Valley Land-Use Agencies in Addressing GHG Emission Impacts for New Projects Under CEQA (SJVAPCD Guidance). Based on the SJVAPCD Guidance, a tiered approach is utilized for determining significance:

- Tier 1: Project is exempt from CEQA.
- Tier 2: Project complies with an adopted statewide, regional, or local plan for reduction or mitigation of GHG emissions.
- Tier 3: Project achieves 29% GHG emission reductions target by using approved Best Performance Standards (BPSs).
- Tier 4: GHG emissions are quantified, and the project implements AB32 targeted 29% GHG emission reductions compared to BAU.

E. Local

1. City of Manteca Climate Action Plan (CAP)

The City of Manteca CAP was adopted by the City Council (Resolution Number R2013-191) on October 15, 2013, and is considered a qualified CAP under CEQA. The CAP was developed to address global climate change through the reduction of harmful GHG emissions at the community level, and as part of California’s mandated statewide GHG emissions reduction goals under AB 32. The CAP includes a GHG inventory for the City for baseline years of 2005 and 2010, as well as projections for 2020 and 2035. However, emissions for 2035 and 2050 are provided for informational purposes only. Targets for later years will be revisited in future revisions to the CAP. Additionally, the City is currently in process of updating the CAP.

4.6.4 BASIS FOR DETERMINING SIGNIFICANCE

In order to assess the significance of a project’s environmental impacts it is necessary to identify quantitative or qualitative thresholds which, if exceeded, would constitute a finding of significance. As discussed above in Subsection 4.6.2, while estimated Project-related GHG emissions can be quantified, the direct impacts of such emissions on GCC and global warming cannot be determined on the basis



of available science. There is no evidence at this time that would indicate that the emissions from a project the size of the Project would directly or indirectly affect the global climate.

AB 32 states, in part, that “[g]lobal warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California.” Because global warming is the result of GHG emissions, and GHGs are emitted by innumerable sources worldwide, the Project would have no potential to result in a direct impact to global warming; rather, Project-related contributions to GCC, if any, only have potential significance on a cumulative basis. Therefore, the analysis below focuses on the Project’s potential to contribute to GCC in a cumulatively considerable way.

Section VIII of Appendix G to the CEQA Guidelines indicate that a project would result in a significant impact on climate change if a project were to:

- a. *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*
- b. *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

Neither SJVAPCD nor the City of Manteca have established quantitative thresholds for determining the significance of GHG emissions. Based on SJVAPCD Guidance, a tiered approach is recommended for determining significance:

- Tier 1: Project is exempt from CEQA.
- Tier 2: Project complies with an adopted statewide, regional, or local plan for reduction or mitigation of GHG emissions.
- Tier 3: Project achieves 29% GHG emission reductions target by using approved Best Performance Standards (BPSs).
- Tier 4: GHG emissions are quantified, and the project implements AB32 targeted 29% GHG emission reductions compared to BAU.

The Project is not exempt from CEQA, therefore the Tier 1 approach may not be used. Although the Project would be consistent with the City of Manteca CAP, consistency with the CAP does not ensure compliance with SB 32, as the CAP was intended to support the goals of AB 32, which seek to reduce California’s GHG emissions to 1990 levels by 2020. As such, because the CAP does not ensure compliance with SB 32 and the State’s 2030 GHG emission reduction targets, the Tier 2 approach may not be used. Tier 3 or 4 approaches are not recommended based on “Center for Biological Diversity v. California Department of Fish and Wildlife (CBD vs. CDFW 62 Cal. 4th 204, 2015).” Further, utilization of a Tier 4 approach would require an updated GHG emission inventory for 2030 as well as revised reduction targets in line with SB 32 goals of GHG emission reductions of 40% from the 1990



baseline. However, these have not currently been developed. Finally, while SJVAPCD has provided recommended BPSs for stationary sources, these would not be applicable to the Project.

In the absence of applicable quantitative thresholds, this analysis relies on screening levels thresholds established by the South Coast Air Quality Management District (SCAQMD). SCAQMD has been evaluating GHG significance thresholds since April 2008. On December 5, 2008, the SCAQMD Governing Board adopted an Interim CEQA Greenhouse Gas Significance Threshold of 3,000 MTCO_{2e} per year for projects for which the SCAQMD is the lead agency. The 3,000 MT CO_{2e} per year threshold is based on a 90 percent emission “capture” rate methodology. Prior to its use by the SCAQMD, the 90 percent emissions capture approach was one of the options suggested by the California Air Pollution Control Officers Association (CAPCOA) in their CEQA & Climate Change white paper. A 90 percent emission capture rate means that unmitigated GHG emissions from the top 90 percent of all GHG-producing projects within a geographic area would be subject to a detailed analysis of potential environmental impacts from GHG emissions, while the bottom 10 percent of all GHG-producing projects would be excluded from detailed analysis. A GHG significance threshold based on a 90 percent emission capture rate is appropriate to address the long-term adverse impacts associated with global climate change because medium and large projects will be required to implement measures to reduce GHG emissions, while small projects, which are generally infill development projects that are not the focus of the State’s GHG reduction targets, are allowed to proceed. Further, a 90 percent emission capture rate sets the emission threshold low enough to capture a substantial proportion of future development projects and demonstrate that cumulative emissions reductions are being achieved while setting the emission threshold high enough to exclude small projects that will, in aggregate, contribute approximate 1 percent of projected statewide GHG emissions in the Year 2050.

Thus, if a project would emit GHGs less than 3,000 MTCO_{2e} per year, the project is not considered a substantial GHG emitter and the GHG impact is less than significant, requiring no additional analysis and no mitigation. On the other hand, if a project would emit GHGs in excess of 3,000 MTCO_{2e}/yr, then the project could be considered a substantial GHG emitter, requiring additional analysis and potential mitigation.

As previously discussed, a screening threshold of 3,000 MTCO_{2e}/yr is an acceptable approach for small projects to determine if additional analysis is required and is therefore conservatively applied for this Project in the absence of other thresholds of significance adopted by the SJVAPCD.

4.6.5 METHODOLOGY

In July 2024, the CAPCOA, in conjunction with other California air districts including SJVAPCD, released the latest version of CalEEMod Version 2022.1.1.26. The purpose of this model is to calculate construction-source and operational-source criteria pollutants and GHG emissions from direct and indirect sources and quantify applicable air quality and GHG reductions achieved from mitigation measures. Accordingly, the latest version of CalEEMod has been used for this Project to determine GHG emissions. Output from the model runs for construction and operational activity are provided in



Appendices 3.1 and 3.2 of *Technical Appendix G*, of this EIR. CalEEMod includes GHG emissions from the following source categories: construction, area, energy, mobile, waste, water, refrigerants, and stationary equipment.

The Project was modeled in CalEEMod assuming 289,449 square feet of Refrigerated Warehouse-No Rail space. Additionally, the User Defined Industrial land use was used in order to separately model emissions that would occur as a result of Project truck trips. Passenger vehicle truck trips, as well as all other emission sources, were modeled under the Refrigerated Warehouse-No Rail land use.

4.6.6 IMPACT ANALYSIS

Threshold a: *Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

A. Construction

For construction phase Project emissions, GHGs are quantified and amortized over the life of the Project. While SJVAPCD does not recommend assessing the significance of construction-related emissions, other California air districts, including SCAQMD state that these emissions should be considered. As such, consistent with SCAQMD guidance, the total construction-related GHG emissions are amortized over the life of the Project by dividing it by a 30-year project life then adding that number to the annual operational phase GHG emissions. As such, construction emissions were amortized over a 30-year period and added to the annual operational phase GHG emissions. The amortized construction emissions are presented in Table 4.6-3, *Amortized Annual Construction Emissions*.

Table 4.6-3 Amortized Annual Construction Emissions

| Year | Emissions (MT/yr) | | | | |
|---|-------------------|-----------------|------------------|--------------|--------------------------------------|
| | CO ₂ | CH ₄ | N ₂ O | Refrigerants | Total CO ₂ e ² |
| 2025 | 548.00 | 0.02 | 0.02 | 0.29 | 555.00 |
| Total GHG Emissions | 548.00 | 0.02 | 0.02 | 0.29 | 555.00 |
| Amortized Construction Emissions (MTCO₂e) | 18.27 | 0.00 | 0.00 | 0.01 | 18.50 |

Note: In order to calculate the emissions amortized over a 30-year period the total construction GHG emissions was divided by 30 years, as follows: 555.00 CO₂e/30 = 18.50.

B. Operation

Project operations would generate CO₂, CH₄, N₂O, and Refrigerant emissions. Primary emissions sources would include:

² CalEEMod reports the most common GHGs emitted which include CO₂, CH₄, N₂O and Refrigerants. These GHGs are then converted into the CO₂e by multiplying the individual GHG by the GWP.



- Area Source
- Energy Source
- Mobile Source
- Water Supply, Treatment, and Distribution
- Solid Waste
- Refrigerants
- Stationary Source Emissions
- On-site Cargo Equipment Emissions
- Transport Refrigeration Units (TRUs)

Project-related GHG emissions were quantified with CalEEMod, which relies upon vehicle trip rates and Project-specific land use data to calculate emissions. As shown on Table 4.6-4, *Project GHG Emissions Summary*, construction and operation of the Project would generate approximately 6,469.73 MTCO₂e/yr; the Project would exceed the screening threshold of 3,000 MTCO₂e/yr. Thus, impacts would be potentially significant.

Table 4.6-4 Project GHG Emissions Summary

| Emission Source | Emissions (MT/yr) | | | | |
|---|-------------------|-----------------|------------------|--------------|-------------------------|
| | CO ₂ | CH ₄ | N ₂ O | Refrigerants | Total CO ₂ e |
| Annual construction-related emissions amortized over 30 years | 62.38 | 2.04E-03 | 3.03E-03 | 4.71E-02 | 18.50 |
| Mobile Source | 4,408.00 | 0.07 | 0.59 | 6.19 | 4,591.00 |
| Area Source | 4.23 | < 0.005 | < 0.005 | 0 | 4.24 |
| Energy Source | 751.00 | 0.12 | 0.12 | 0 | 758.00 |
| Water Source | 41.70 | 2.18 | 0.05 | 0 | 112.00 |
| Waste Source | 24.30 | 2.43 | 0 | 0 | 84.90 |
| Refrigerants | 0 | 0 | 0 | 48.80 | 48.80 |
| Stationary | 13.30 | < 0.005 | < 0.005 | 0 | 13.40 |
| On-site Cargo Equipment | | | | | 94.75 |
| TRU Source | | | | | 744.14 |
| Total Project CO₂e (All Sources) | 6,469.73 | | | | |

Threshold b: *Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

Pursuant to 15604.4 of the CEQA Guidelines, a lead agency may rely on qualitative analysis or performance-based standards to determine the significance of impacts from GHG emissions. As such, the Project’s consistency with the 2022 Scoping Plan, is discussed below. It should be noted that the Project’s consistency with the 2022 Scoping Plan also satisfies consistency with AB 32 since the 2022



Scoping Plan is based on the overall targets established by AB 32 and SB 32. Consistency with the 2008 and 2017 Scoping Plan is not necessary since both of these plans have been superseded by the 2022 Scoping Plan.

A. *2022 CARB Scoping Plan Consistency*

The Project would not impede the State’s progress towards carbon neutrality by 2045 under the 2022 Scoping Plan. The Project would be required to comply with applicable regulatory requirements promulgated through the 2022 Scoping Plan. Some of the current transportation sector policies the Project will comply with (through vehicle manufacturer compliance) include:

- **Advanced Clean Cars II:** By 2035, 100% of new cars and light trucks sold in California will be zero-emission vehicles. Compliance with this regulation will be through vehicle manufacturer compliance.
- **Advanced Clean Trucks:** The Advanced Clean Trucks regulation is a manufacturers zero-emission vehicles sales requirement. Compliance with this regulation will be through vehicle manufacturer compliance.
- **Advanced Clean Fleets:** The Advanced Clean Fleets regulation complements CARB’s recently adopted Advanced Clean Trucks regulation requiring fleets that are well suited for electrification to reduce emissions through requirements to both phase-in the use of zero-emission vehicles for targeted fleets and requirements that manufacturers only manufacture zero-emission trucks starting in the 2036 model year. Compliance with this regulation will be through vehicle manufacturer compliance.
- **Zero Emission Forklifts:** Starting in 2026, manufacturers would be subject to production and sales restrictions and reporting for Targeted Forklifts³ in California. Additionally, fleet operators would be restricted from acquiring these Targeted Forklifts. In accordance with this regulation, the Project operator would maintain records related to reporting requirements needed to demonstrate compliance with the regulation.
- **In-use Off-Road Diesel-Fueled Fleets Regulation and Subsequent Amendments:** The In-Use Off-Road Diesel-Fueled Fleets Regulation applies to all self-propelled off-road diesel vehicles 25 horsepower or greater used in California and most two-engine vehicles (except on-road two-engine sweepers). In accordance with this regulation, the Project operator/off-road diesel vehicle owners would be required to report their applicable diesel vehicles to CARB to demonstrate compliance with the regulation.

³ Targeted Forklifts: cushion-tired forklifts of all lift capacities and pneumatic-tired forklifts of lift capacities 12,000 pounds or less powered by a large spark-ignited (LSI) engine.



- Carbon pricing through the Cap-and-Trade Program: The Project would sell or buy allowances as applicable depending on the total level of greenhouse gas emissions allowed for the site
- Low Carbon Fuel Standard: The Project would install 79 parking stalls that would be designed as electric vehicle capable and support use of electric standby and/or hybrid electric TRUs.

B. City of Manteca CAP Consistency

The City of Manteca adopted its CAP in October 2013. The measures identified in the CAP represent the City’s actions to achieve the GHG reduction targets of AB 32 for target year 2020. Local measures incorporated in the CAP include:

- Energy measures that direct the City to reduce energy usage in new and existing buildings and encourage the use of solar power;
- Land use and transportation measures that encourage alternative modes of transportation (walking, biking, and transit), reduce motor vehicle use by allowing a reduction in parking supply, voluntary transportation demand management to reduce vehicle miles traveled, and land use strategies that improve jobs-housing balance (increased density and mixed-use);
- Solid waste measures that reduce landfilled solid waste in the City.

Further, the Project is subject to California Building Code requirements. New buildings must meet the applicable building code requirements and standards in place at the time building permit documentation submittals are made. CALGreen is updated on a regular basis, with the most recently approved 2022 California Green Building Code Standards taking effect on January 1, 2023. While the Project does not include reduced parking, increased density, or a mixed-use development, it would provide sidewalks, bike racks, and pedestrian walkways to encourage the use of alternative modes of transportation (walking, biking, and transit). Table 4.6-5, *City of Manteca CAP Consistency*, below presents the Project’s consistency with the City’s CAP measures. As such, the Project would not conflict with applicable GHG reduction measures in the CAP and impacts are less than significant.

Table 4.6-5 City of Manteca CAP Consistency

| CAP Strategy | Consistency Discussion |
|---|--|
| Comply with the applicable land use, sustainable development, and resource conservation policies of the Manteca General Plan. | No Conflict. The Project site is located within an existing commercial and industrial development known as Spreckels Business Park. The Project is a proposed infill development, consistent with the existing surrounding industrial uses, and would serve as an extension of the existing development. The proposed warehouse distribution center is an allowed use within the Light Industrial (LI) land use designation and |



| CAP Strategy | Consistency Discussion |
|--|---|
| | <p>Business Industrial Park (BIP) zoning designation of the site.</p> <p>As noted previously, the Project would be subject to a use permit and site plan review approval pursuant to the Spreckels Park Industrial Guidelines page 5 of 16T[3e], which stipulates that where a residential use abuts an industrial use, a conditional use permit shall be required to ensure provision of adequate buffers. Major Site Plan Review approval, pursuant to Section 17.10.060 of the City’s Municipal Code. Site Plan Review approval would ensure that the Project is consistent with any applicable land use plan, policy, or regulation. Accordingly, consistency with the applicable land use, sustainable development, and resource conservation policies of the Manteca General Plan, is verified during the Site Plan Review process, and the Project would not conflict with this measure.</p> |
| <p>Construct project transportation infrastructure that supports walking, bicycling, and transit use.</p> | <p>No Conflict. As the Project would be located within an existing commercial and industrial development, new roadways or transportation infrastructure are not proposed as part of the Project, with the exception of site access and parking lots. In accordance with Table 17.52.110-1, Bicycle Parking Requirements by Land Use, of the City’s Municipal Code, the Project would be required to provide at least seven bicycle parking spaces, based on the number of vehicle parking spaces proposed. In addition, the Project site is located within 1,000 feet of the Spreckels Avenue at Norman Avenue Manteca Transit bus stop, which would offer public transit accessibility options to future employees of the Project. As such, the Project would not conflict with this measure.</p> |
| <p>Implement Transportation Demand Management (TDM) programs in projects with large numbers of employees.</p> | <p>No Conflict. According to the CAP, the SJVAPCD has adopted Rule 9410, Employer Based Trip Reduction, which requires employers with over 100 employees to implement trip reduction programs. If more than 100 employees would be expected at the site, the Project would be required to implement a TDM program, which would include measures to reduce VMT and trips by increasing transit use, carpooling, vanpooling, bicycling, or other measures. The Project is anticipated to employ approximately 358 people. As such, a TDM program is required for the Project, and the Project would not conflict with this measure.</p> |
| <p>Design and construct project buildings to exceed Title 24 Energy Efficiency Standards by at least 10 percent.</p> | <p>No Conflict. The Project would be required to comply with all applicable standards set forth in Title 24. Additionally, The Project building would be designed</p> |



| CAP Strategy | Consistency Discussion |
|--|---|
| | and built to meet the standard for Leadership in Energy and Environmental Design (LEED) Silver Certification, or above. As such, the Project would not conflict with this measure. |
| Implement project buildings including water conservation measures that meet or exceed the California Green Building Code standards 20 percent requirement. | No Conflict. The Project would be required to meet the water efficiency regulations within the CALGreen Code. As such, the Project would not conflict with this measure. |
| Install project landscaping that meets or exceeds water conservation standards of the City’s adopted landscaping ordinance 20 percent reduction requirement. | No Conflict. As shown in Figure 3-7, <i>Landscaping Plan</i> , landscaping within the Project site would be required to comply with the CALGreen Code and all water efficiency measures therein, including the MWEL0. In addition, the Project would be required to comply with the adopted water conservation standards set forth in Chapter 17.48 of the City’s Municipal Code. As such, the Project would not conflict with this measure. |
| Develop programs to exceed state recycling and diversion targets by at least 10 percent. | No Conflict. Pursuant to Municipal Code Section 13.02.120, all construction materials associated with the Project shall be recycled. The City of Manteca offers a free commercial recycling pickup service which would be available to the Project during operations. As such, the Project would not conflict with this measure. |

4.6.7 CUMULATIVE IMPACT ANALYSIS

Because no single project is large enough to result in a measurable increase in global concentrations of GHG emissions, climate change impacts of a project are considered on a cumulative basis consistent with the requirements outlined in CEQA Guidelines 15064(h)(3). As discussed, implementation of the Project would comply with the 2022 Scoping Plan and City’s CAP but would result in net annual emissions that exceed the GHG emissions significance threshold of 3,000 MT CO₂e/yr. Therefore, Project-related GHG emissions and their contribution to global climate change would be cumulatively considerable, and GHG emissions impacts would be potentially significant.

4.6.8 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold a: Potentially Significant Impact. The Project would exceed the screening threshold of 3,000 MT CO₂e/yr. Therefore, impacts are significant.

Threshold b: Less-than-significant Impact. The Project would not conflict with applicable plans, policies, and regulations adopted for the purpose of reducing the emissions of GHG emissions. Therefore, impacts are less than significant.

4.6.9 MITIGATION

Mitigation Measures MM 4.1-1 through 4.1-3 identified in Section 4.1, *Air Quality*, would apply.



- MM 4.6-1 Prior to issuance of occupancy permits, all on-site outdoor cargo handling equipment (including yard trucks, hostlers, yard goats, pallet jacks, forklifts, and other on-site equipment) shall be required to be powered by electricity, compressed natural gas, or gasoline and all indoor cargo handling equipment shall be required to be powered by electricity.
- MM 4.6-2 All landscape equipment (e.g. leaf blower) used for property management shall be electric powered only. The property manager/facility owner shall provide documentation (e.g., purchase, rental, and/or services agreement) to the Development Services Department to verify, to the City's satisfaction, that all landscaping equipment utilized will be electric powered.

4.6.10 SIGNIFICANCE OF IMPACTS AFTER MITIGATION

Threshold a: Significant and Unavoidable Impact. The Project will result in approximately 1,134.59 MTCO₂e/yr from construction, area, energy, water usage, waste, refrigerants, stationary sources, and on-site equipment. In addition, the Project has the potential to result in an additional 5,335.14 MTCO₂e/yr from mobile sources (82.46%) if the assumption is made that all of the vehicle trips to and from the Project are "new" trips resulting from the development of the Project. As such, the Project has the potential to generate a total of approximately 6,469.73 MTCO₂e/yr and would exceed the 3,000 MTCO₂e/yr threshold of significance used for this analysis.

Mitigation Measures MM 4.1-1 through MM 4.1-3, MM 4.6-1, and MM 4.6-2 would reduce GHG emissions from the Project. However, neither the City of Manteca nor the Project Applicant have regulatory authority to control mobile source (tailpipe) emissions, and no feasible mitigation measures exist that would reduce GHG emissions to levels that are less-than-significant; thus, these emissions are considered significant and unavoidable. The Project would have the potential to result in a cumulatively considerable impact with respect to GHG emissions.



4.7 HAZARDS AND HAZARDOUS MATERIALS

The following analysis is based on information obtained from the Phase I Environmental Site Assessment (ESA) (*Technical Appendix H1*) that was prepared for the Project by Kleinfelder, Inc. (Kleinfelder), dated April 3, 2024 (Kleinfelder, 2024) and the Soil Management Plan (*Technical Appendix H2*) prepared by Farallon Consulting, L.L.C. (Farallon), dated April 16, 2024 (Farallon, 2024). This Subsection also is based on information contained in the City of Manteca General Plan. All references used in this Subsection are listed in Section 7.0, *References*, of this EIR.

For the purposes of this EIR, the term “recognized environmental concern (REC)” is defined as (1) the presence of hazardous substances or petroleum products in, on, or at the Project site due to a release to the environment; (2) the likely presence of hazardous substances or petroleum products in, on, or at the Project site due to a release or likely release to the environment; or (3) the presence of hazardous substances or petroleum products in, on, or at the Project site under conditions that pose a material threat of a future release to the environment. The term “historical recognized environmental concern (HREC)” is defined as a previous release of hazardous substances or petroleum products affecting the Project site that has been addressed to the satisfaction of the applicable regulatory authority or authorities and meeting unrestricted use criteria established by the applicable regulatory authority or authorities without subjecting the Project site to any controls (for example, activity and use limitations or other property use limitations). A HREC is not a REC. The HREC designation requires the comparison of residual contamination concentrations, if any, to current regulatory standards. The term “controlled recognized environmental concern (CREC)” is defined as an REC affecting the Project site that has been addressed to the satisfaction of the applicable regulatory authority or authorities with hazardous substances or petroleum products allowed to remain in place subject to implementation of required controls (for example, activity and use limitations or other property use limitations). The term “de minimis conditions” is defined as a condition related to a release that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. A condition determined to be a de minimis condition is not a REC nor a controlled recognized environmental condition.

For the purposes of this EIR, the term “toxic substance” is defined as a substance that, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may present an unreasonable risk of injury to human health or the environment. Toxic substances include chemical, biological, flammable, explosive, and radioactive substances.

For purposes of this EIR, the term “hazardous material” is defined as a substance that, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may: 1) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, disposed of, or otherwise mismanaged; or 2) cause or contribute to an increase in mortality or an increase in irreversible or incapacitating illness.



Hazardous waste is defined in the California Code of Regulations, Title 22, Section 66261.3. The defining characteristics of hazardous waste are ignitability (oxidizers, compressed gases, and extremely flammable liquids and solids), corrosivity (strong acids and bases), reactivity (explosives or generates toxic fumes when exposed to air or water), and toxicity (materials listed by the U.S. Environmental Protection Agency [EPA] as capable of inducing systemic damage to humans or animals). Certain wastes are called “Listed Wastes” and are found in the California Code of Regulations, Title 22, Sections 66261.30 through 66261.35. Wastes appear on the lists because of their known hazardous nature or because the processes that generate them are known to produce hazardous wastes (which are often complex mixtures).

4.7.1 NOP/SCOPING MEETING COMMENTS

A NOP for the Project was released for public review on December 6, 2024, and an EIR Scoping meeting was held on December 12, 2024. No comments were made during the EIR Scoping Meeting that pertain to Hazards and Hazardous Materials. One comment related to Hazards and Hazardous Materials was received during the public scoping period. Specifically, the San Joaquin County Environmental Health Department (EHD) recommends conditions pertaining to compliance with hazardous materials laws and regulations and reporting the use or storage of these hazardous materials to the California Environmental Reporting System (CERS).

4.7.2 EXISTING CONDITIONS

A. Historical Review

Based on a review of aerial photographs, topographic maps, fire insurance maps, building permit records, the Project site’s history was researched from 1914 through 2021. In 1914, the Project site was vacant and a stream protected by a levee appears to traverse the site. In 1921, the Project site is improved with sugar processing plant infrastructure associated with Spreckels Sugar Company. During the 1990s, the abandoned facilities of the former sugar plant on the Project site were demolished.

Historical records revealed that sugar beet processing operations took place on the Project site when the plant was operational. Operations included: an underground beet flume, beet washing, diffusion, pulp dryers, and lime kiln conveyors. Support structures included a maintenance shop, a beet seed warehouse, general warehouses, above ground storage tanks (ASTs), underground storage tanks (USTs), petroleum conveyance lines, a drum and waste oil storage area, septic leach field lines, an acid/caustic storage area, a solvents washdown pad, an auto shed, and former railroad spurs. Soil and groundwater impacts from petroleum hydrocarbons and other constituents were revealed during past investigations conducted in the late 1990s. Primary chemical of concerns (COCs) were petroleum hydrocarbons, solvents, volatile organic compounds (VOCs), pesticides / herbicides, and metals. Other constituents included for analysis consisted of semi-volatile organic compounds (SVOCs), polychlorinated biphenyls (PCBs), ethyl glycol, and nitrates.

Cleanup actions at the Project site have included removal of buildings, structures, tanks, equipment, and other site features associated with the former sugar plant, limited soil excavation for the former



USTs and waste oil tanks, as well as certain locations along the railroad spurs. Numerous soil and groundwater investigations have been conducted and documented in various reports.

1. *Previous Investigations*

In 2017 and 2018, Kleinfelder performed a Phase II ESA to assess the impact of soil gas, soil, and groundwater from COCs associated with the historical plant activities and to fill data gaps from the past investigations. The Project site was divided into 11 operable units for the purpose of investigation. In order to determine areas needing active soil vapor samples, 53 passive soil gas samples were collected from shallow soil, on a grid basis across the site. Based on these passive results, active soil gas samples were collected from 10 locations, and soil and groundwater samples were collected from 11 boring locations.

The results of analysis revealed that soil vapor samples analyzed were below the applicable screening levels. Additionally, soil sample analytes were also below the screening levels, except for the pesticide 4,4'-dichlorodiphenyldichloroethylene (DDE) that exceeded the groundwater protection screening level. However, deeper samples from the same location did not exceed the screening level, indicating there was no threat to groundwater. Moreover, the highest 4,4'-DDE concentration of 200 µg/kg was well below both the United States Environmental Protection Agency (USEPA) Regional Screening Levels (RSL) and San Francisco Bay Regional Water Quality Control Board Environmental Screening Levels (ESL) for residential soil. Arsenic, cobalt, and thallium were detected in soil above the groundwater protection screening levels, but those concentrations were still within the naturally occurring background levels.

Groundwater samples were below the applicable water quality objectives, except for nitrate at one location and nickel and/or antimony at two locations. Nickel and antimony exceedances were not considered as a threat to drinking water due to corresponding levels in soils, the limited extent of their impact, or anomalous results. The exceedance of the nitrate concentration was presumed to be the result of the former septic leach lines. The Central Valley Regional Water Quality Control Board (RWQCB) also highlighted that the areas where groundwater was formerly impacted by petroleum hydrocarbons up to 4,900 µg/L in samples collected between 1997 and 2003, were below 50 µg/L in the 2017 samples. It was concluded that petroleum hydrocarbon impacts had naturally degraded and were not threat to groundwater quality. The investigation revealed no vapor intrusion and low dermal contact hazards as well.

The 2018 Phase II ESA report evaluated the historical as well as newly obtained data and concluded that the concentrations of COCs at the Project site do not pose a hazard that required further action, with the exception of a deed restriction requiring a Soil Management Plan (SMP) for any soil disturbance.

The Central Valley RWQCB concurred with the conclusions and recommendations in Kleinfelder's 2018 Phase II ESA. A no further action determination was made and deed restriction was recorded for soils taken off site to other properties to prevent potential off-site water quality impacts from site soils



containing 4,4'-DDE and naturally occurring metals above the groundwater protection screening levels.

B. Regulatory Review

A review of the available environmental and historical records for the Project site according ASTM E1527-13 standards was conducted to determine if the Project is a listed regulatory site. The EDR Radius Map Report identifies the following facilities at the Project site:

- Former Spreckels Sugar Company, Parcel, 407 Spreckels Avenue, Manteca, California: listed in Cleanup Program Sites-Spills, Leaks, Investigations, and Cleanup (CPS-SLIC), Deed Restriction Listing (DEED), and California EPA Regulated Site Portal Data/ CERS databases.
- Manteca Plant: listed in Mines Master Index File-Mineral Resources Data System (MINES-MRDS) database for a calcium processing plant. No further information was provided.
- Amstar Corp Spreckels Sugar Div F-2, Yosemite Avenue, Manteca, California: listed in Superfund Enterprise Management System-Archive (SEMS-Archive) and Resource Conservation and Recovery Act (RCRA)-SQG database.
- Spreckels Sugar Co, 18800 S Spreckels Road, Manteca, California: listed in UST database.

Additionally, all offsite listed facilities within 0.25-miles of the Project site do not present a REC for the Project site.

C. Field Reconnaissance

A field reconnaissance was conducted at the Project site on February 23, 2024. At the time of site reconnaissance, the Project site was vacant land covered with native grass or vegetation. A few percolation test points were installed by an engineering consultant at the Project site. A small quantity of debris such as yard waste, tree pruning, a cooking pit, couple of empty cooking oil containers, and rubble were observed. No structures or evidence of former structures were observed. The Project site was enclosed by a cinder block wall towards its east and south. The northern boundary is enclosed by a chain-link fence and a grill, whereas the western boundary is open for access. Dirt roads allowing vehicle access were observed around the perimeter of the Project site. No current or evidence of past uses that would indicate RECs were observed during the site reconnaissance.

D. Airport Hazards

The Project site is not located within an Airport Influence Area (AIA). The nearest airport to the Project site is the Stockton Metropolitan Airport, located approximately 6.8 miles northwest of the Project site.



E. Wildland Fire Hazards

The Project site is not located near wildlands that would present a fire hazard. Additionally, the Project site is not located within a fire hazard severity zone (CalFire, 2025).

4.7.3 REGULATORY FRAMEWORK

A. Federal

1. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Superfund Amendments and Reauthorization Act (SARA)

The Comprehensive Environmental Response, Compensation, and Liability Act, also known as CERCLA or Superfund, provides a Federal "Superfund" to clean up uncontrolled or abandoned hazardous-waste sites as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment. Through CERCLA, the EPA was given power to seek out those parties responsible for any release and assure their cooperation in the cleanup. EPA cleans up orphan sites when potentially responsible parties cannot be identified or located, or when they fail to act. Through various enforcement tools, EPA obtains private party cleanup through orders, consent decrees, and other small party settlements. EPA also recovers costs from financially viable individuals and companies once a response action has been completed.

EPA is authorized to implement the Act in all 50 states and U.S. territories. Superfund site identification, monitoring, and response activities in states are coordinated through the state environmental protection or waste management agencies.

The Superfund Amendments and Reauthorization Act (SARA) of 1986 reauthorized CERCLA to continue cleanup activities around the country. Several site-specific amendments, definitions clarifications, and technical requirements were added to the legislation, including additional enforcement authorities. Also, Title III of SARA authorized the Emergency Planning and Community Right-to-Know Act (EPCRA). (EPA, 2024c)

2. Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA) gives EPA the authority to control hazardous waste from the "cradle-to-grave." This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also set forth a framework for the management of non-hazardous solid wastes. The 1986 amendments to RCRA enabled EPA to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances.

The Federal Hazardous and Solid Waste Amendments (HSWA) are the 1984 amendments to RCRA that focused on waste minimization and phasing out land disposal of hazardous waste as well as corrective action for releases. Some of the other mandates of this law include increased enforcement authority for EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program. (EPA, 2024d)



3. *Hazardous Materials Transportation Act (HMTA)*

The Hazardous Materials Transportation Act of 1975 (HMTA) empowered the Secretary of Transportation to designate as hazardous material any "particular quantity or form" of a material that "may pose an unreasonable risk to health and safety or property."

Hazardous materials regulations are subdivided by function into four basic areas:

- Procedures and/or Policies 49 CFR Parts 101, 106, and 107
- Material Designations 49 CFR Part 172
- Packaging Requirements 49 CFR Parts 173, 178, 179, and 180
- Operational Rules 49 CFR Parts 171, 173, 174, 175, 176, and 177

The HMTA is enforced by use of compliance orders [49 U.S.C. 1808(a)], civil penalties [49 U.S.C. 1809(b)], and injunctive relief (49 U.S.C. 1810). The HMTA (Section 112, 40 U.S.C. 1811) preempts state and local governmental requirements that are inconsistent with the statute, unless that requirement affords an equal or greater level of protection to the public than the HMTA requirement.

4. *Hazardous Materials Transportation Uniform Safety Act of 1990*

In 1990, Congress enacted the Hazardous Materials Transportation Uniform Safety Act (HMTUSA) to clarify the maze of conflicting state, local, and federal regulations. Like the HMTA, the HMTUSA requires the Secretary of Transportation to promulgate regulations for the safe transport of hazardous material in intrastate, interstate, and foreign commerce. The Secretary also retains authority to designate materials as hazardous when they pose unreasonable risks to health, safety, or property. (OSHA, n.d.)

The statute includes provisions to encourage uniformity among different state and local highway routing regulations, to develop criteria for the issuance of federal permits to motor carriers of hazardous materials, and to regulate the transport of radioactive materials. (OSHA, n.d.)

5. *Occupational Safety and Health Act (OSHA)*

Congress passed the Occupational and Safety Health Act (OSHA) to ensure worker and workplace safety. Their goal was to make sure employers provide their workers a place of employment free from recognized hazards to safety and health, such as exposure to toxic chemicals, excessive noise levels, mechanical dangers, heat or cold stress, or unsanitary conditions.

In order to establish standards for workplace health and safety, the Act also created the National Institute for Occupational Safety and Health (NIOSH) as the research institution for OSHA. OSHA is a division of the U.S. Department of Labor that oversees the administration of the Act and enforces standards in all 50 states. (EPA, 2024e)



6. *Toxic Substances Control Act*

The Toxic Substances Control Act (TSCA) of 1976 provides EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics, and pesticides. TSCA addresses the production, importation, use, and disposal of specific chemicals including PCBs, asbestos, radon, and lead-based paint.

Various sections of TSCA provide authority to:

- Require, under Section 5, pre-manufacture notification for "new chemical substances" before manufacture
- Require, under Section 4, testing of chemicals by manufacturers, importers, and processors where risks or exposures of concern are found
- Issue Significant New Use Rules (SNURs), under Section 5, when it identifies a "significant new use" that could result in exposures to, or releases of, a substance of concern.
- Maintain the TSCA Inventory, under Section 8, which contains more than 83,000 chemicals. As new chemicals are commercially manufactured or imported, they are placed on the list.
- Require those importing or exporting chemicals, under Sections 12(b) and 13, to comply with certification reporting and/or other requirements.
- Require, under Section 8, reporting and record-keeping by persons who manufacture, import, process, and/or distribute chemical substances in commerce.
- Require, under Section 8(e), that any person who manufactures (including imports), processes, or distributes in commerce a chemical substance or mixture and who obtains information which reasonably supports the conclusion that such substance or mixture presents a substantial risk of injury to health or the environment to immediately inform EPA, except where EPA has been adequately informed of such information. EPA screens all TSCA b§8(e) submissions as well as voluntary "For Your Information" (FYI) submissions. The latter are not required by law but are submitted by industry and public interest groups for a variety of reasons. (EPA, 2024f)

B. State

1. Cal/OSHA and the California State Plan

Under an agreement with OSHA, since 1973 California has operated an occupational safety and health program in accordance with Section 18 of the federal OSHA. The State of California's Department of Industrial Relations administers the California Occupational Safety and Health Program, commonly referred to as Cal/OSHA. The State of California's Division of Occupational Safety and Health (DOSHS) is the principal agency that oversees plan enforcement and consultation. In addition, the California State program has an independent Standards Board responsible for promulgating State



safety and health standards and reviewing variances. It also has an Appeals Board to adjudicate contested citations and the Division of Labor Standards Enforcement to investigate complaints of discriminatory retaliation in the workplace.

Pursuant to 29 CFR 1952.172, the California State Plan applies to all public and private sector places of employment in the state, with the exception of federal employees, the United States Postal Service, private sector employers on Native American lands, maritime activities on the navigable waterways of the United States, private contractors working on land designated as exclusively under federal jurisdiction and employers that require federal security clearances. Cal/OSHA is the only agency in the state authorized to adopt, amend, or repeal occupational safety and health standards or orders. In addition, the Standards Board maintains standards for certain things not covered by federal standards or enforcement, including: elevators, aerial passenger tramways, amusement rides, pressure vessels and mine safety training. The Cal/OSHA enforcement unit conducts inspections of California workplaces in response to a report of an industrial accident, a complaint about an occupational safety and health hazard, or as part of an inspection program targeting industries with high rates of occupational hazards, fatalities, injuries or illnesses. (OSHA, n.d.)

2. *California Hazardous Waste Control Law*

The Hazardous Waste Control Law (HWCL) (Health and Safety Code [HSC], Division 20, Chapter 6.5, Section 25100, et seq.) is the primary hazardous waste statute in California. The HWCL implements RCRA as a “cradle-to-grave” waste management system in the state. It specifies that generators have the primary duty to determine whether their wastes are hazardous and to ensure its proper management. The HWCL also establishes criteria for the reuse and recycling of hazardous wastes used or reuse as raw materials. The HWCL exceeds federal requirements by mandating source reduction planning and broadening requirements for permitting facilities that treat hazardous waste. It also regulates a number of waste types and waste management activities not covered by federal law.

3. *California Code of Regulations, Titles 22 and 26*

A variety of California Code of Regulation (CCR) titles address regulations and requirements for generators of hazardous waste. Title 22 contains detailed compliance requirements for hazardous waste generators, transporters, and facilities for treatment, storage, and disposal. Because California is a fully-authorized state according to RCRA, most regulations (i.e., 40 CFR 260, et seq.) have been duplicated and integrated into Title 22. However, because the Department of Toxic Substances Control (DTSC) regulates hazardous waste more stringently than the EPA, the integration of state and federal hazardous waste regulations that make up Title 22 does not contain as many exemptions or exclusions as does 40 CFR 260. As with the HSC, Title 22 also regulates a wider range of waste types and waste management activities than does RCRA. To aid the regulated community, California has compiled hazardous materials, waste, and toxics-related regulations from CCR, Titles 3, 8, 13, 17, 19, 22, 23, 24 and 27 into one consolidated listing: CCR Title 26 (Toxics). However, the hazardous waste regulations are still commonly referred to collectively as “Title 22.”



C. Local

1. *City of Manteca General Plan*

The General Plan identifies goals related to hazards and hazardous materials in the Safety Element. These goals and policies and a discussion of the Project's consistency are discussed in Table 4.9-2, *General Plan Consistency Analysis*, Section 4.9, *Land Use and Planning*, of this EIR.

2. *City of Manteca Municipal Code*

The City of Manteca Municipal Code identifies provisions that are intended to minimize adverse hazards impacts associated with new development projects. The following regulation is relevant to the Project.

- **Hazardous Materials (Section 17.58.040)** includes standards intended to ensure that the use, handling, storage, and transportation of hazardous materials comply with all applicable state laws (Government Code Section 65850.2 and Health and Safety Code Section 25505, et seq.) and that appropriate information is reported to the Fire Department as the regulatory authority. This section of the code outlines reporting requirements, underground storage of hazardous materials, aboveground storage of hazardous materials, new development standards, and notification requirements.

4.7.4 METHODOLOGY

The analysis of potential hazards and hazardous materials-related impacts is based upon hazardous materials investigations prepared specifically for the Project site. The investigations included a site reconnaissance, review of published reports, maps, and aerial photographs, and interviews with key personnel pursuant to American Society of Testing and Materials (ASTM) International E1527-13 and E1527-21. The analysis also included a review of the City's General Plan, information sources from State and federal agencies, hazardous materials mapping, fire hazard mapping, and other resource databases.

4.7.5 BASIS FOR DETERMINING SIGNIFICANCE

Section IX of Appendix G to the CEQA Guidelines addresses typical adverse effects due to hazards and hazardous materials, and includes the following threshold questions to evaluate the Project's impacts from hazards and hazardous materials:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;*
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;*



- c. *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;*
- d. *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment;*
- e. *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area;*
- f. *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan;*
- g. *Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

4.7.6 IMPACT ANALYSIS

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

A significant impact may occur if a project would involve the use or disposal of hazardous materials as part of its routine operations or would have the potential to generate toxic or otherwise hazardous emissions that could adversely affect sensitive receptors. The analysis below addresses the potential for hazardous materials effects associated with Project construction and operation.

A. Project Construction

1. Potential Temporary Construction-Related Activities

Heavy equipment (e.g., dozers, excavators, tractors) would be operated on the Project site during demolition and construction activities. This heavy equipment likely would be fueled and maintained by petroleum-based substances such as diesel fuel, gasoline, oil, and hydraulic fluid, which are considered hazardous if improperly stored or handled. In addition, materials such as paints, adhesives, solvents, and other substances typically used in building construction would be located on the Project site during construction. Improper use, storage, or transportation of hazardous materials can result in accidental releases or spills, potentially posing health risks to workers, the public, and the environment.

This is a standard risk on all construction sites, and there would be no greater risk for improper handling, transportation, or spills associated with the Project than would occur on any other similar construction site. Construction contractors would be required to comply with all applicable federal, State, and local laws and regulations regarding the transport, use, and storage of hazardous construction-related materials, including but not limited requirements imposed by the EPA, DTSC, and the Central Valley RWQCB. With mandatory compliance with applicable hazardous materials



regulations, the Project would not create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials during the construction phase. Impacts would be less than significant.

2. On-Site Conditions and Impacted Soils

Based on site reconnaissance, a review of regulatory and historical records, and the information discussed above which indicates a regulatory closure for past impacts, no RECs or de minimis conditions were identified for the Project site. However, the following HREC and CREC were identified:

- HREC: The historical sugar beet processing operations reportedly caused soil and groundwater impacts as revealed during investigations conducted in the late 1990s. However, a regulatory closure from the Central Valley RWQCB was received after investigations and clean-up measures were performed, therefore, the historical impacts are presently considered to be HREC.
- CREC: A deed restriction recorded by Central Valley RWQCB was recorded for soils taken offsite to prevent potential water quality impacts to other properties from site soils containing 4,4'-DDE and naturally occurring metals above the groundwater protection screening levels. The deed restriction also requires reasonable access to the Central Valley RWQCB for inspection, monitoring, and other activities.

In order to ensure that grading activities do not pose a risk to workers, construction activities are required to comply with the guidelines set forth by Central Valley RWQCB and implement an SMP. Details of the SMP are provided below.

3. Soil Management Plan

In order to ensure public and worker safety, an SMP was prepared (*Technical Appendix H2* of this EIR) to provide procedures for efficiently managing potentially impacted soils during utility installation and other future excavation activities. During earthwork activities, the grading contractor is required to follow the SMP. Contractors must follow the applicable Cal/OSHA regulations for construction safety in CCR Title 8, Sections 1500-1938. Contractor employees must be Hazardous Waste Operations and Emergency Response (HAZWOPER) trained personnel.

SMP Section 4, presents the communication, health and safety, soil management, unanticipated subsurface conditions, and SMP reporting requirements. Requirements include but are not limited to:

- The Contractor or the Environmental Professional is responsible for preparing a Health and Safety Plan (HASP) for all tasks performed that require subsurface work at the Project site, with the exclusion of general maintenance activities (e.g., landscaping). The HASP will detail all planned construction activities and will describe standard safety precautions (e.g.,



- protective gear for workers, proper soil-handling techniques). The HASP also will describe the minimum safety measures to be implemented at the Project site during all activities.
- If deemed appropriate, the Contractor or Environmental Professional involved in earthwork activities will conduct air monitoring due to the potential presence of VOCs in soil gas at the site. Details of the air monitoring program will be outlined in the HASP and will include sampling frequency and required documentation. A photoionization detector will be used to monitor for VOCs in the area where work is performed. Action levels will be established in the HASP by the Contractor or Environmental Professional.
 - In the event that contaminated soil is brought to the surface by grading, excavation, or trenching, provisions stipulated in California State and/or federal law will be followed. Any stockpiling or on-site reuse of excavated soil will be performed in accordance with the procedures described in the SMP.
 - Implementation of dust-control measures to minimize dust generation is required during earthwork activities conducted at the Project site. Basic dust-control measures described in the California Environmental Quality Act Air Quality Guidelines dated May 2017, prepared by the Bay Area Air Quality Management District, must be followed. It is the responsibility of the Contractor to ensure that the presence of dust is minimized during construction activities and that all applicable local and state dust control requirements are met. Should construction activities result in observable dust at the boundary of the site, enhanced control measures will be performed by the Contractor.
 - With the exception of known conditions at the site, Any earthwork that involves chemically impacted soil or any unanticipated condition will be documented and reported to the Project Applicant and the Regional Board. Minimum reporting requirements will consist of tabulated analytical results compared with industrial land use objectives, scaled Site plans depicting sampling locations, disposal manifests, and descriptions of methods used. All activities involving removal of chemically impacted soil will be performed under the oversight of a California State Professional Geologist or Professional Engineer.

Without implementation of the SMP, impacts would be potentially significant.

B. Project Operation

Future operations have the potential to use hazardous materials (i.e., gasoline, diesel, biodiesel fuels, and oil) during the course of daily operations at the Project site. The precise materials that would be used onsite are not known, as the tenants of the proposed warehouses are not yet defined. In the event that hazardous materials, other than those common materials described above, are associated with future warehouse operations, the hazardous materials would only be stored and transported to and from the building site. Federal and State Community-Right-to-Know laws allow the public access to information about the amounts and types of chemicals that may be used by the businesses that would operate at the Project site. Laws also are in place that require businesses to plan and prepare for possible



chemical emergencies. Any business that operates any of the facilities at the Project site and that handles and/or stores substantial quantities of hazardous materials (as defined by § 25500 of California Health and Safety Code, Division 20, Chapter 6.95) would be required to prepare and submit a Hazards Materials Business Emergency Plan (HMBEP) in order to register the business as a hazardous materials handler. Such business is also required to comply with California’s Hazardous Materials Release Response Plans and Inventory Law, which require immediate reporting to Manteca Fire Department and State Office of Emergency Services regarding any release or threatened release of a hazardous material, regardless of the amount handled by the business.

The operation of the Project would be required to comply with all applicable federal, State, and local regulations to ensure the proper transport, use, and disposal of hazardous substances. With mandatory regulatory compliance, potential hazardous materials impacts associated with long-term operation of the Project is not expected to pose a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials, nor would the Project increase the potential for accident operations which could result in the release of hazardous materials into the environment.

With mandatory regulatory compliance with federal, State, and local laws described above, potential hazardous materials impacts associated with long-term operation of the Project are less than significant.

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

A. Construction

As would occur during any development project of similar scale to the Project, there is a possibility of accidental release of hazardous substances during construction activities, such as petroleum-based fuels or hydraulic fluid used for construction equipment. The level of risk associated with the accidental release of hazardous substances is not considered significant due to the small volume and low concentration of hazardous materials utilized during construction. Further, the construction contractor would be required to use standard construction controls and safety procedures pursuant to the California Health and Safety Code § 25500, and Cal/OSHA requirements to avoid and minimize the potential for accidental release and to ensure that materials are appropriately contained and remediated as required by local, State, and federal law.

The Project would comply with the requirements of applicable laws and regulations governing upsets and accidents including the requirements of the hazardous materials disclosure program, the California Accidental Release Prevention Program, the hazardous materials release response plans and inventory program, and California Health and Safety Code §25500. These requirements would ensure that all potentially hazardous materials are handled in an appropriate manner and would minimize the potential for upset and accident conditions. For example, all spills or leakage of petroleum products during construction activities are required to be immediately contained, the hazardous material identified, and the material remediated in compliance with applicable State and local regulations for the cleanup and



disposal of that contaminant. All contaminated waste would be required to be collected and disposed of at an appropriately licensed disposal or treatment facility.

As indicated under the discussion and analysis for Threshold a, there is a potential for the discovery of contamination during these activities due to past reported evidence of soil and groundwater contamination resulting from historical uses. The SMP would ensure public and worker safety due to the potential release of hazardous materials from contaminated soils. Therefore, without the implementation of the SMP, impacts during construction would be potentially significant.

B. Operation

The long-term operation of the Project would not result in any significant adverse effects associated with reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. The operation of the Project would not include any components associated with the transport, use, or disposal of hazardous materials beyond those typical of a similar land use, which would be conducted in accordance with all applicable local, State, and federal regulations. Any business that operates any of the facilities at the Project site and that handles and/or stores substantial quantities of hazardous materials (as defined by California Health and Safety Code, Division 20, Chapter 6.95) would be required to prepare and submit an HMBEP to the Manteca Fire Department in order to register the business as a hazardous materials handler. General cleaning activities on-site that contain toxic substances are usually low in concentration and small in amount; therefore, there is no significant risk to humans or the environment from the use of such cleaning products. Accordingly, the Project would not 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, and impacts would be less than significant.

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

The nearest existing school to the Project site is the Lincoln Elementary School, located approximately 0.23 miles northwest of the Project site. As discussed under Thresholds a and b, there is potential for impacted soils onsite and a SMP would be required. Therefore, without the implementation of the SMP, impacts during construction would be potentially significant.

The operation of the Project would be required to comply with all applicable federal, State, and local regulations to ensure the proper transport, use, and disposal of hazardous substances. With mandatory regulatory compliance, potential hazardous materials impacts associated with long-term operation of the Project is not expected to pose a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials, nor would the Project increase the potential for accident operations which could result in the release of hazardous materials into the environment. Therefore, operational impacts associated with hazardous emissions or handling of hazardous materials within one-quarter mile of a school would be considered less than significant.



Threshold d: Would the Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Government Code Section 65962.5 requires DTSC, the State Department of Health Services, State Water Resources Control Board, and the State Department of Resources Recycling and Recovery to maintain a list of hazardous materials sites that fall within specific, defined categories. As discussed above, the Project site is listed in the CPS-SLIC, DEED, and California EPA Regulated Site Portal Data/CERS databases. As discussed under Threshold a (Project Construction), impact soils may be encountered during grading activities. Therefore, impacts would be potentially significant.

Threshold e: For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the project area?

As discussed above in Subsection 4.7.2D, the Project site is not within two miles of an airport and the Project site is not identified as within an AIA. As such, no impact would occur

Threshold f: Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The Project site does not contain any emergency facilities nor does it serve as an emergency evacuation route. Construction of the Project would be generally confined to the Project site and would not physically impair access to the site or the Project area. During construction and long-term operation, the Project would be required to maintain adequate access for emergency vehicles. As part of the City's discretionary review process, the City reviewed the Project's access driveways and circulation to ensure appropriate emergency ingress and egress would be available to Project site and determined that the Project would not substantially impede emergency response routes in the local area. Accordingly, the Project would not impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan. Thus, impacts would be less than significant.

Threshold g: Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

The Project site is not located in close proximity to wildlands or areas with high fire hazards. Additionally, the Project site is not located within an area recognized by CalFire as a fire hazard severity zone (CalFire, 2025). Therefore, the Project would not expose people or structures, directly or indirectly, to a risk of loss, injury or death involving wildland fire, and no impact would occur.



4.7.7 CUMULATIVE IMPACT ANALYSIS

The area considered for cumulative impacts is the City and related projects. Hazards and hazardous waste impacts are typically unique to each site and do not usually contribute to cumulative impacts. Cumulative development projects would be required to assess potential hazardous materials impacts on the development site prior to grading. The Project and other cumulative projects would be required to comply with laws and regulations governing hazardous materials used and generated as described. Therefore, cumulative impacts related to hazards and hazardous materials would be less than significant after regulatory compliance.

The Project's temporary construction activities would entail the storage, handling and use of hazardous substances; however, there would be no greater risk associated with the transport, use, disposal, or accidental release of these substances than would occur on any other similar construction site, and impacts would be less than significant. Similarly, any other developments in the area proposing the construction of uses for the potential for use, storage, or transport of hazardous materials also would be required to comply with the same federal, State, and local regulations as the Project, which would preclude potential adverse impacts related to hazardous materials. As concluded under Threshold a, operation of the Project would be required to comply with all applicable federal, State, and local regulations to ensure the proper transport, use, or disposal of hazardous substances, which would ensure that operation of the Project would have a less than significant impact related to the release of hazardous materials into the environment. Because the Project and nearby cumulative development would not result in adverse impacts related to handling, transport, storage, and treatment of hazardous materials due to mandatory compliance with federal, State, and local regulations that require that minimum, adequate safety standards are met, there is no potential for a cumulative impact to occur related to hazardous materials, including under routine and accident conditions.

The Project site is not located within an AIA. Accordingly, the Project would not result in an impact associated with air travel safety hazards or aircraft operations. Therefore, the Project has no potential to combine with other development projects to result in air travel safety hazards or aircraft operations impacts.

The Project site does not contain any emergency facilities nor does it serve as an emergency evacuation route; therefore, it has no potential to impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan and would result in no impact. Thus, the Project would have no effect on emergency access and there is no potential for the Project to contribute to any cumulative impacts associated with emergency facilities or emergency evacuation routes.

The Project site is not located in an area that is susceptible to wildfire hazards and therefore would result in no impact related to significant risk of loss, injury, or death involving wildland fires. As such, the Project would not contribute to any cumulative impact related to wildland fires.



4.7.8 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold a: Potentially Significant Impact. The Project site contains soils and groundwater contamination due to historical uses.

Threshold b: Potentially Significant Impact. During Project construction and operation, mandatory compliance with federal, State, and local regulations would ensure that the Project would not create a significant hazard to the environment due to routine transport, use, disposal, or upset of hazardous materials. However, there is the potential for release of hazardous materials from potentially contaminated soils during construction activities.

Threshold c: Potentially Significant Impact. The Project is located within a quarter mile an existing school and there is a potential to encounter contaminated soils during construction activities.

Threshold d: Potentially Significant Impact. The Project site is located on lists of hazardous materials sites compiled pursuant to Government Code § 65962.5.

Threshold e: No Impact. The Project site is not within two miles of an airport and the Project site is not identified as within an AIA for airports in San Joaquin County.

Threshold f: Less-than-Significant Impact. The Project site does not contain any emergency facilities nor does it serve as an emergency evacuation route. During construction and long-term operation, adequate emergency vehicle access is required to be provided. Accordingly, implementation of the Project would not impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan.

Threshold g: No Impact. The Project site is not located in close proximity to wildlands or areas with high fire hazards. Additionally, the Project site is not located within an area recognized by CalFire as a fire hazard severity zone. Therefore, the Project would not expose people or structures, directly or indirectly, to a risk of loss, injury or dead involving wildland fire, and impacts would be less than significant.

4.7.9 MITIGATION

MM 4.7-1 Prior to the issuance of grading permits, the Project Applicant shall prepare an Addendum to the SMP to address grading and excavation activities specific to the Project. The SMP Addendum shall be submitted for approval by the Central Valley RWQCB. The Project Contractor shall adhere to the protocols and performance standards stipulated in the SMP (*Technical Appendix H2* of this EIR). Contractors working at the site shall have the current HAZWOPER health and safety training and follow all applicable Cal/OSHA regulations for construction safety. A Completion Report shall be prepared at the conclusion of grading activities. The report shall document field monitoring activities and visual observations made during grading/excavations, as well as soil sampling locations and results. The report shall



include a description of the location of impacted soil encountered, actions taken to characterize and mitigate impacts, confirmation soil sampling results, and disposition of any excavated soil. In addition, the report shall include a description of encountered subsurface structures and steps to remove and close such structures. The report shall be reviewed and approved by the City of Manteca Director of Development Services, prior to issuance of building permits.

4.7.10 SIGNIFICANCE OF IMPACTS AFTER MITIGATION

Thresholds a, b, c and d: Less than Significant Impact with Mitigation Incorporated. Project construction activities would require preparation of an addendum to the SMP. Implementation of Mitigation Measure MM 4.7-1 would ensure preparation of an SMP addendum and compliance, which would reduce potential impacts related to exposure resulting from routine transport, use, or disposal of contaminated or potentially contaminated soils to less than significant.



4.8 HYDROLOGY AND WATER QUALITY

The following analysis is based in part on information obtained from one technical report prepared by Kier & Wright Civil Engineers (K&W) entitled, “Preliminary Stormwater Quality Control Plan” (herein, “SWQMP”), dated April 12, 2024 and appended to this EIR as *Technical Appendix I* (K&W, 2024). Refer to Section 7.0, *References*, for a complete list of these and other reference sources.

4.8.1 **NOP/SCOPING MEETING COMMENTS**

A NOP for the Project was released for public review on December 6, 2024, and an EIR Scoping meeting was held on December 12, 2024. No comments were made during the EIR Scoping Meeting that pertain to Hydrology and Water Quality. Additionally, no comments related to Hydrology and Water Quality were received during the public scoping period.

4.8.2 **EXISTING CONDITIONS**

A. Regional Hydrology

The Project site is located in San Joaquin County within the San Joaquin River watershed. The San Joaquin River is about 300 miles long. It begins in the Sierra Nevada mountain range on California’s eastern border. The river runs down the western slope of the Sierra and flows roughly northwest through the Central Valley, to where it meets the Sacramento River at the Sacramento-San Joaquin Delta, a 1,000-square-mile maze of channels and islands that drains more than 40 percent of the state’s lands. (DWR, 2020a)

San Joaquin County is located in the San Joaquin River Hydrological Region. The San Joaquin River is the principal river of the region, and all other streams of the region are tributary to it. The Mokelumne River and its tributary the Cosumnes River originate in the central Sierra Nevada, along with the more southerly Stanislaus and Tuolumne rivers. (DWR, 2020a)

B. Site Hydrology

The existing topographic survey indicates runoff generally drains east to west across the site by sheet flow. Existing impervious area on the Project site is zero (0) sf.

C. Flooding and Dam Inundation

The Project site is located in Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 06077C0640F. The site is designated within “Zone X (unshaded),” which are areas with a 0.2% chance of annual flood. The Zone X (unshaded) designation is considered to be an area of minimal flood hazard and is not considered a special flood hazard area. (FEMA, 2009)



D. Water Quality

The Federal Water Pollution Control Act Amendment of 1972 (also referred to as the Clean Water Act, CWA) requires all states to conduct water quality assessments of their water resources to identify water bodies that do not meet water quality standards. Water bodies that do not meet water quality standards due to excessive concentrations of pollutants are placed on a list of impaired waters pursuant to Section 303(d) of the CWA. The Project site's receiving waters include Lone Tree Creek- San Joaquin River. Pollutants listed for Lone Tree Creek- San Joaquin River include ammonia, benthic community effects, biochemical oxygen demand, chlorpyrifos, diuron, indicator bacteria, oxygen, dissolved, and toxicity. (SWRCB, 2024)

E. Groundwater

The City of Manteca is located in the Eastern San Joaquin River Groundwater Basin. The groundwater basin underlying the City is the San Joaquin Valley Basin, Eastern San Joaquin (ESJ) Subbasin (California Department of Water Resources [DWR] Basin No. 5-22.01). The basin is not adjudicated; however, a basin management plan has been created. The Eastern San Joaquin Groundwater Basin Groundwater Management Plan (ESJGB-GMP) was prepared in September 2004. The purpose of the ESJGB-GMP is "to review, enhance, assess, and coordinate existing groundwater management policies and programs in Eastern San Joaquin County and to develop new policies and programs to ensure the long-term sustainability of groundwater resources in Eastern San Joaquin County." According to DWR Bulletin 118, the ESJGB is in a critical condition of overdraft. Most of the fresh groundwater is encountered at depths of less than 1,000 feet, and most of this shallow groundwater is unconfined. (DWR, 2020a)

According to the City's 2024 Water Mater Plan, sustainable yield for the ESJ Subbasin was calculated through development of a "sustainable conditions" scenario model run to generate a long-term (50-year) change in subbasin groundwater storage of zero. A range of assumptions was used in the development of the sustainable yield to address the uncertainties associated with varying hydrologic conditions, cropping patterns, irrigation practices, etc. The sustainable yield of the ESJ Subbasin is approximately 715,000 AFY \pm 10%. Given the total area of the Subbasin of 764,803 acres, this translates to approximately 1 AFY per acre (AFY/Ac). The City aims to maintain total groundwater pumping below the sustainable yield and thus, projected groundwater supply availability is based on the assumption that 1 AFY of groundwater is available per acre of City service area. (City of Manteca, 2024c)

F. Seiches and Tsunami Hazards

Seiches are standing waves oscillating in a body of water that are caused when strong winds and rapid changes in atmospheric pressure push water from one end of a water body to the other. When the wind stops, the water rebounds to the other side of the enclosed area. The water then continues to oscillate back and forth for hours or even days. In a similar fashion, earthquakes, tsunamis, or severe storm fronts may also cause seiches along ocean shelves and ocean harbors. Tsunamis are giant waves caused



by earthquakes or volcanic eruptions under the sea. In the depths of the ocean, tsunami waves do not dramatically increase in height, but as the waves travel inland, they build up to higher and higher heights as the depth of the ocean decreases.

In and near the City of Manteca, there are no open reservoirs, lakes, or other large bodies of water; therefore, substantial impacts from seiches could not occur. The Pacific Ocean is located approximately 70 miles west of the Project site; therefore, the potential for a tsunami to affect the Project site is also non-existent due to distance.

4.8.3 REGULATORY FRAMEWORK

A. Federal

1. *Clean Water Act*

The CWA establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. The basis of the CWA was enacted in 1948 and was called the Federal Water Pollution Control Act, but the Act was substantially reorganized and expanded in 1972. "Clean Water Act" became the Act's common name with amendments in 1972. Under the CWA, the Environmental Protection Agency (EPA) has implemented pollution control programs such as setting wastewater standards for industry, and also has set water quality standards for all contaminants in surface waters. The CWA made it unlawful to discharge any pollutant from a point source into navigable waters, unless a permit was obtained. EPA's National Pollutant Discharge Elimination System (NPDES) permit program controls discharges. Point sources are discrete conveyances such as pipes or man-made ditches. 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.

B. State

1. *Porter-Cologne Water Control Act*

The Porter-Cologne Act is the principal law governing water quality regulation in California. It establishes a comprehensive program to protect water quality and the beneficial uses of water. The Porter-Cologne Act applies to surface waters, wetlands, and ground water and to both point and nonpoint sources of pollution. Pursuant to the Porter-Cologne Act (California Water Code § 13000 et seq.), the policy of the State is as follows:

- That the quality of all the waters of the State shall be protected;
- That all activities and factors affecting the quality of water shall be regulated to attain the highest water quality within reason; and



- That the State must be prepared to exercise its full power and jurisdiction to protect the quality of water in the State from degradation.

The Porter-Cologne Act established nine Regional Water Boards (based on hydrogeologic barriers) and the State Water Board, which are charged with implementing its provisions and which have primary responsibility for protecting water quality in California. The State Water Board provides program guidance and oversight, allocates funds, and reviews Regional Water Boards decisions. In addition, the State Water Board allocates rights to the use of surface water. The Regional Water Boards have primary responsibility for individual permitting, inspection, and enforcement actions within each of the nine hydrologic regions. The State Water Board and Regional Water Boards have numerous non-point source (NPS) related responsibilities, including monitoring and assessment, planning, financial assistance, and management.

The Regional Water Boards regulate discharges under the Porter-Cologne Act primarily through issuance of NPDES permits for point source discharges and waste discharge requirements (WDRs) for NPS discharges. Anyone discharging or proposing to discharge materials that could affect water quality (other than to a community sanitary sewer system regulated by an NPDES permit) must file a report of waste discharge. The State Water Resources Control Board (SWRCB) and the Regional Water Quality Control Boards (RWQCBs) can make their own investigations or may require dischargers to carry out water quality investigations and report on water quality issues. The Porter-Cologne Act provides several options for enforcing WDRs and other orders, including cease and desist orders, cleanup and abatement orders, administrative civil liability orders, civil court actions, and criminal prosecutions.

The Porter-Cologne Act also implements many provisions of the Clean Water Act, such as the NPDES permitting program. The Porter-Cologne Act also requires adoption of water quality control plans that contain the guiding policies of water pollution management in California. In addition, regional water quality control plans (basin plans) have been adopted by each of the Regional Water Boards and get updated as necessary and practical. These plans identify the existing and potential beneficial uses of waters of the State and establish water quality objectives to protect these uses. The basin plans also contain implementation, surveillance, and monitoring plans. The Project site is located in the San Joaquin River watershed, which is within the purview of Central Valley RWQCB.

2. California Water Code

The California Water Code is the principal state law regulating water quality in California. Water quality provisions must be complied with as contained in numerous code sections including: 1) the Health and Safety Code for the protection of ground and surface waters from hazardous waste and other toxic substances; 2) the Fish and Game Code for the prevention of unauthorized diversions of any surface water and discharge of any substance that may be deleterious to fish, plant, animal, or bird life; 3) the Harbors and Navigation Code for the prevention of the unauthorized discharge of waste from vessels into surface waters; and 4) the Food and Agriculture Code for the protection of groundwater which may be used for drinking water supplies. The California Department of Fish and



Wildlife (CDFW), through provisions of the Fish & Game Code (§§ 1601 - 1603) is empowered to issue agreements for any alteration of a river, stream, or lake where fish or wildlife resources may be adversely affected. CDFW regulates wetland areas only to the extent that those wetlands are part of a river, stream, or lake as defined by CDFW.

Surface water quality is the responsibility of the RWQCB, water supply and wastewater treatment agencies, and city and county governments. The principal means of enforcement by the RWQCB is through the development, adoption, and issuance of water discharge permits. RWQCB basin plans establish water quality objectives that are defined as the limits or levels of water quality constituents or characteristics for the reasonable protection of beneficial uses of water.

3. *Sustainable Groundwater Management Act (SGMA)*

The 2014 Sustainable Groundwater Management Act (SGMA) requires governments and water agencies of high and medium priority basins to halt overdraft and bring groundwater basins into balanced levels of pumping and recharge. Under SGMA, these basins should reach sustainability within 20 years of implementing their sustainability plans. The DWR categorizes the priority of groundwater basins. For critically over-drafted basins such as the Eastern San Joaquin Groundwater Basin, that will be 2040. For the remaining high and medium priority basins, 2042 is the deadline. The SGMA also requires local public agencies and Groundwater Sustainability Agencies (GSAs) in high- and medium-priority basins to develop and implement Groundwater Sustainability Plans (GSPs) or Alternatives to GSPs. GSPs are detailed road maps for how groundwater basins will reach long term sustainability. (DWR, n.d.; DWR, 2020b)

4. *National Pollutant Discharge Elimination System Construction General Permit*

Pursuant to Section 402(p) of the CWA, which requires regulations for permitting certain stormwater discharges, the State Water Resources Control Board (SWRCB) has issued a statewide general NPDES Permit for stormwater discharges from construction sites (NPDES No. CAS000002 Water Quality Order 2022-0057-DWQ).¹ Under this Construction General Permit, stormwater discharges from construction sites with a disturbed area of one acre or more are required to either obtain individual NPDES permits for stormwater discharges or to be covered by the Construction General Permit. Coverage under the Construction General Permit is accomplished by determining the risk level of the construction site and by preparing a Storm Water Pollution Prevention Plan (SWPPP) that includes a site evaluation and assessment, Best Management Practices (BMPs) to be implemented at the construction site, and an inspection program. The SWPPP should also outline the monitoring and sampling program to verify compliance with discharge Numeric Action Levels (NALs) according to the Risk Level for the site, as set by the Construction General Permit. The primary objective of the

¹ NPDES No. CAS000002, Water Quality Order 2022-0057-DWQ, SWRCB NPDES General Permit for Storm Water Discharges Associated with Construction Activity (adopted by the SWRCB on September 8, 2022, and effective on September 1, 2023). In accordance with the language set forth in Order No. 2022-057-DWQ, this permit has been administratively extended to August 31, 2028.



SWPPP is to ensure that the responsible party properly construct, implement, and maintain BMPs to reduce or eliminate pollutants in stormwater discharges and authorized non-stormwater discharges from the construction site. Permit Registration Documents (SWPPP, Notice of Intent, and other documents), as well as annual reports, Notice of Terminations, and NAL exceedance reports, must be electronically submitted to the SWRCB and the permit fee mailed to the SWRCB for Construction General Permit coverage.

C. Regional

1. Water Quality Control Plan for Central Valley Regional Water Quality Control Board

The Water Quality Control Plan for the Central Valley Region (Basin Plan) includes a summary of beneficial water uses, water quality objectives needed to protect the identified beneficial uses, and implementation measures. The Basin Plan establishes water quality standards for all the ground and surface waters of the region. The term “water quality standards,” as used in the Federal Clean Water Act, includes both the beneficial uses of specific water bodies and the levels of quality that must be met and maintained to protect those uses. The Basin Plan includes an implementation plan describing the actions by the RWQCB and others that are necessary to achieve and maintain water quality standards.

The RWQCB regulates waste discharges to minimize and control their effects on the quality of the region’s ground and surface water. Permits are issued under a number of programs and authorities. The terms and conditions of these discharge permits are enforced through a variety of technical, administrative, and legal means. Water quality problems in the region are listed in the Basin Plan, along with the causes, where they are known. For water bodies with quality below the levels necessary to allow all the beneficial uses of the water to be met, plans for improving water quality are included. The Basin Plan reflects, incorporates, and implements applicable portions of a number of national and statewide water quality plans and policies, including the California Water Code and the Clean Water Act.

D. Local

1. City of Manteca General Plan

The General Plan identifies goals related to water quality in the Resource Conservation and Land Use Element. These goals and policies and a discussion of the Project’s consistency are discussed in Table 4.9-2, *General Plan Consistency Analysis*, in Section 4.9, *Land Use and Planning*, of this EIR.

2. City of Manteca Municipal Code

The City of Manteca Municipal Code identifies provisions that are intended to minimize adverse water quality impacts associated with new development projects. Below are the regulations relevant to the Project.



- **Storm Water Management Discharges (Title 13 Chapter 13.28).** The purpose of this chapter is to establish minimum storm water management requirements and controls to protect and safeguard the general health, safety and welfare of the public residing in watersheds within the City of Manteca. This chapter seeks to meet that purpose through the following objectives:
 - Minimize increases in storm water runoff from any development in order to reduce flooding, siltation and stream bank erosion and maintain the integrity of drainage channels;
 - Minimize increases in non-point source pollution caused by storm water runoff from development that would otherwise degrade local water quality;
 - Minimize the total annual volume of surface water runoff that flows from any specific site during and following development to not exceed the pre-development hydrologic regime to the maximum extent practicable; and
 - Reduce storm water runoff rates and volumes, soil erosion and non-point source pollution wherever possible, through storm water management controls and to ensure that these management controls are properly maintained and pose no threat to public safety. (Ord. 1253 § 1, 2004)
- **Discharges in violation of industrial or construction activity NPDES storm water discharge permit (Section 13.28.060)** Any person subject to an industrial NPDES storm water discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the director upon inspection of the facility, during any enforcement proceeding or action or for any other reasonable cause. Any person subject to a construction activity NPDES storm water discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the director prior to or as a condition of a subdivision map, site plan, building permit or development or improvement plan; upon inspection of the facility; during any enforcement proceeding or action; or for any other reasonable cause. Prior to issuance of a construction permit a copy of the Notice of Intent (NOI) and the SWPPP shall be submitted to the city. (Ord. 1253 § 1, 2004).

4.8.4 BASIS FOR DETERMINING SIGNIFICANCE

Section X of Appendix G to the CEQA Guidelines addresses typical adverse effects to hydrology and water quality, and includes the following threshold questions to evaluate the Project's impacts on hydrology and water quality:

- a. *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality;*



- b. *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin;*
- c. *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*
 - i. *Result in substantial erosion or siltation on- or off-site;*
 - ii. *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;*
 - iii. *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; or*
 - iv. *Impede or redirect flood flows.*
- d. *In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation.*
- e. *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.*

4.8.5 METHODOLOGY

Information from the Project’s Storm Water Quality Management Plan (*Technical Appendix I*), the City of Manteca General Plan, and FEMA FIRMs were utilized in the analyses of the Project’s potential impacts to hydrology and water quality. The Project’s SWQMP evaluated 24-year storm event consistent with City of Manteca requirements.

4.8.6 IMPACT ANALYSIS

Threshold a: Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

A. Construction-Related Water Quality Impacts

Construction-related activities have the potential to result in impacts to water quality. The grading and construction phases would require the disturbance of surface soils and removal of the existing vegetation cover. During the construction period, grading activities would result in exposure of soil to storm runoff, potentially causing erosion and sedimentation in runoff. Sediments also transport substances such as nutrients, hydrocarbons, and trace metals, which could be conveyed to the storm drain facilities and receiving waters. Substances such as fuels, oil and grease, solvents, paints and other building construction materials, wash water, and dust control water could also enter storm runoff and



be transported to nearby waterways. This could potentially degrade the quality of the receiving waters and potentially result in the impairment of downstream water sources.

Construction activities for the Project would occur over an area of more than one acre. Therefore, the Project is required to obtain coverage under a NPDES permit. Construction impacts due to Project development would be minimized through compliance with the NPDES Construction General Permit. The NPDES permit is required for all development projects that include construction activities, such as clearing, grading, and/or excavation, and disturb at least one (1) acre of total land area. In addition, the Project Applicant would be required to comply with the San Joaquin River Basin Water Quality Control Program. Compliance with the NPDES permit and the San Joaquin River Basin Water Quality Control Program involves the preparation and implementation of a SWPPP for construction-related activities. The SWPPP will specify the BMPs that would be required to be implemented during construction activities to ensure that potential pollutants of concern are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property.

Examples of BMPs that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydroseeding. The intent of the BMPs is to slow stormwater runoff and allow sediment to fall out of the stormwater and be captured on site rather than drain into the receiving waters. Additionally, the Project would comply with Manteca Municipal Code Chapter 13.28 – Storm Water Management Discharges which aims to reduce pollutants in stormwater discharges to the maximum extent possible. Mandatory compliance with the SWPPP and the City’s Municipal Code would ensure that implementation of the Project would not result in a violation of any water quality standards or waste discharge requirements during construction activities. Therefore, water quality impacts associated with construction activities would be less than significant.

B. Post-Development Water Quality Impacts

The development of the Project and associated improvements would result in the conversion of existing on-site permeable surfaces to impermeable surfaces. The water runoff from impervious surfaces, including the proposed building, roadways, and parking lot, have the potential to carry a variety of pollutants. A “pollutant of concern” is water pollutant that is also an impairment to the receiving water body. Based on the Project-specific SWQMP, potential water pollutants that could be generated from the Project site in its post-development condition include the following: sediment from parking areas, driveways, and construction, oil and grease from vehicles, oxygen demanding substances from lawns areas, nutrients from landscape fertilizers, and trash and debris from the trash enclosure.

These pollutants may lead to the degradation of stormwater quality in downstream water bodies. It should be noted that there would be a reduction in sediments with implementation of the Project as landscaped areas, impervious surfaces, and BMPs would reduce suspended sediment in runoff compared to the existing condition. Pollutant concentrations in urban runoff are extremely variable and are dependent on storm intensity, land use, elapsed time since previous storms, and the volume of



runoff generated in a specific area that reaches a receiving water. As such, potential water quality impacts are related to the increase in the peak runoff, new urban uses, and the sensitivity of the receiving water. The Project site's receiving waters include Lone Tree Creek-San Joaquin River. Pollutants listed for Lone Tree Creek-San Joaquin River include ammonia, benthic community effects, biochemical oxygen demand, chlorpyrifos, diuron, indicator bacteria, oxygen, dissolved, and toxicity.

The Project's SWQMP is intended to comply with all requirements specified in the Multi-Agency Post-Construction Stormwater Standards Manual (Stormwater Standards Manual), dated June 2015 for new development and redevelopment projects. The Project is considered a 'Hydromodification Management Project' defined as a project that creates and/or replaces greater than 1 acre of impervious surface. Additionally, the entire project site is subject to stormwater requirements since the project results in an increase of more than 50% impervious surface area over the existing development. Consequently, the Project would incorporate the required site assessment and planning, site design control measures, source control measures, and treatment control measures.

The Project is delineated into two (2) DMAs. One (1) area drains to a bioretention planter and one (1) area is treated in an underground infiltration basin. For DMA 1, the rainfall is picked up by catch basins throughout the site and is routed to the underground infiltration basin by an underground storm drain line. The runoff then percolates into the ground in typical storms or overflows to the City system in large events. For DMA 2, rainfall is routed and captured by the bioretention planter and picked up by an underground storm drain line. This onsite storm drain line then combines with the infiltration basin overflow and ties into the existing 30" storm main running south on Spreckels Avenue.

The trees at the Project frontage would be protected in place. Otherwise, there are no sensitive areas that need to be left undisturbed since the project site is an exposed dirt lot. The building and hardscape will be clustered together and interspersed with landscape areas throughout the site. The hardscape runoff will be directed to pervious areas or an infiltration basin located onsite to promote percolation. There are no known wetlands or riparian habitats near the Project site.

The Project proposes planting climate-appropriate trees throughout the parking areas and protect in place the existing trees at the project frontage. Furthermore, roof drainage and impervious areas will be directed to the bioretention planter and infiltration basin for treatment before discharging to the public storm drain system.

By complying with the NPDES permit and SWQMP requirements, the Project would ensure effective control of and would not provide substantial additional sources of polluted runoff to receiving waters. Mandatory compliance with regulatory requirements for the protection of water quality would ensure that the Project does not violate any water quality standards or waste discharge requirements during operation. Therefore, water quality and waste discharge impacts associated with operation of the Project would be less than significant.



Threshold b: Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

A. Groundwater Supply

Water would be accommodated via a proposed 2-inch water main that would extend from the northeastern corner of the building to an existing point of connection at Spreckels Avenue to the existing 12-inch water main. Potable water would be provided by the City of Manteca. The groundwater basin underlying the City is the San Joaquin Valley Basin, ESJ Subbasin (DWR Basin No. 5-22.01). The Project would generate an increase in water demand. However, such demand would be met through a combination of groundwater, imported water, and recycled water. The Project is consistent with the City's General Plan land use designation and therefore consistent with Citywide growth and buildout projections assumed in the City's 2020 Urban Water Management Plan. Therefore, groundwater supplies needed for Project development have been planned for and impacts would be less than significant.

B. Groundwater Recharge

The Project site is not within a groundwater recharge area. The Project would increase the amount of impervious surfaces at the site, which could potentially decrease the areas of the site that currently allow for on-site infiltration. Drainage control features that comply with the Stormwater Standards Manual would include features that allow for on-site infiltration of collected stormwater runoff to the extent feasible. Therefore, although new impervious surfaces would be introduced at the site, the inclusion of stormwater control features that allow for on-site infiltration would minimize the amount of runoff discharged off site and continue to permit groundwater recharge. Accordingly, buildout of the Project with these design features would not interfere substantially with groundwater recharge or impede sustainable groundwater management of Eastern San Joaquin River groundwater basin. As such, based on the foregoing analysis, the Project is not anticipated to substantially interfere with groundwater recharge and impacts would be less than significant.



Threshold c: *Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; 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; or impeded or redirect flood flows?*

A. Erosion or Siltation On- or Off-Site

Although the Project would alter the subject property’s drainage patterns, such changes would not result in substantial erosion or siltation on- or off-site. Under post-development conditions, a majority of the site would be covered with impervious surfaces and, therefore, the amount of exposed soils on the Project site would be minimized. Also, as discussed under Threshold a, the Project would incorporate the required site assessment and planning, site design control measures, source control measures, and treatment control measures. Therefore, stormwater runoff flows leaving the Project site would not carry substantial amounts of sediment. Additionally, the Project would comply with Manteca Municipal Code Chapter 13.28 – Storm Water Management Discharges which aims to reduce pollutants in stormwater discharges to the maximum extent possible. Mandatory compliance with the SWPPP and the City’s Municipal Code would ensure that implementation of the Project would not result in a violation of any water quality standards or waste discharge requirements. Accordingly, implementation of the Project would not result in substantial erosion or siltation on- site or off-site, and a less-than-significant impact would occur.

B. Runoff and Flooding On- or Off-Site

The Project’s proposed grading, earthwork activities, and the addition of impervious surfaces on the Project site would alter the site’s existing interior drainage characteristics. The post-Project impervious area is approximately 585,344 sf.

All proposed onsite surface drainage and storm drain components would be sized adequately for the 24-year storm event as required by the Stormwater Standards Manual. The design of the drainage management areas would ensure that none of these storm events has a higher peak discharge in the post-development condition than in the predevelopment condition. Therefore, the proposed storm drainage system would ensure that the Project would not result in a substantial increase in rate or amount of runoff that would result in on- or off-site flooding or exceed existing or planned stormwater systems.

C. Storm Drain System and Polluted Runoff

The Project’s storm drain system would be sized and designed in accordance with the Multi-Agency Post-Construction Stormwater Standards Manual (Stormwater Standards Manual) to ensure that off-site flows that are conveyed through the Project site at a volume and rate that can be accommodated



by existing and planned downstream storm drain facilities. As discussed above, compliance with the NPDES permit and SWQMP requirements would ensure the Project would provide effective control and would not provide substantial additional sources of polluted runoff to receiving waters. Accordingly, the Project would not create or contribute runoff that would result in flooding on- or off-site or exceed the capacity of the existing or planned stormwater drainage system. Impacts would be less than significant.

D. Flood Flows

According to FEMA, the Project site is located in FIRM No. 06077C0640F. The site is designated within “Zone X (unshaded),” which are areas with a 0.2% chance of annual flood. The Zone X (unshaded) designation is considered to be an area of minimal flood hazard and is not considered a special flood hazard area (FEMA, 2009). Additionally, the Project site is not within a dam inundation zone (DWR, 2025). Accordingly, the Project site is not expected to be inundated by flood flows during the lifetime of the Project and the Project would not impede flood flows. No impact would occur.

Threshold d: Would the Project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

The Pacific Ocean is located approximately 70 miles west of the Project site; consequently, there is no potential for the Project site to be impacted by a tsunami. The Project site is located inland and no significant bodies of water are located in the Project vicinity. Furthermore, as stated above under Threshold c, the Project is not located in a flood hazard zone. No impact would occur.

Threshold e: Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

As discussed above, the Project site is within the purview of the Central Valley RWQCB; therefore, Project-related construction and operational activities would be required to comply with the Santa Joaquin River Basin Water Quality Control Plan by preparing and adhering to a Project-specific SWPPP and SWQMP and by installing and maintaining BMPs. As stated, implementation of the Project would not conflict with or obstruct the San Joaquin River Basin Water Quality Control Plan and no impacts would occur.

Under SGMA passed in 2014 (California Water Code § 10729(d)), each high and medium priority basin, as identified by the DWR, is required to have a GSA that will be responsible for groundwater management and development of a GSP. The City has partnered with other users through Eastern San Joaquin Groundwater Authority (ESJGWA) to manage the groundwater basin. In 2019, ESJGWA completed the Eastern San Joaquin Groundwater Subbasin GSP identifying actions to achieve groundwater sustainability in the Subbasin by 2040. The GSP outlined the need to reduce overdraft conditions and identified twenty-three projects for potential development, along with management actions, that either replace groundwater use or supplement groundwater supplies to meet current and



future water demands. The GSP determined an estimated pumping offset and/or recharge need of 78,000 AFY Subbasin-wide to achieve sustainability.

The Project would generate an increase in water demand. However, such demand would be met through a combination of groundwater, imported water, and recycled water. Development of the Project site would not result in an increase in groundwater pumping because the Project is consistent with the land uses evaluated in the water use projections of the City's General Plan and UWMP. Buildout of the project would not require the City to pump additional groundwater to meet water demand.

In addition, the Project site constitutes a relatively small area compared to the size of the groundwater basin and, thus, does not constitute a substantial source of groundwater recharge. The Project would allow for some continued infiltration through unpaved landscaping throughout the site. Therefore, the project would not substantially interfere with groundwater recharge. Given that the Project is consistent with the site's General Plan land use and zoning designations, groundwater use associated with development of the project has been anticipated by the City and accounted for in regional planning efforts, including the projections included in the City's UWMP. Therefore, the Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. Impacts would be less than significant.

4.8.7 CUMULATIVE IMPACT ANALYSIS

This cumulative impact analysis considers development of the Project in conjunction with other development projects and planned development in the vicinity of the Project site as well as other projects located within the San Joaquin River Basin and Eastern San Joaquin Groundwater Subbasin.

A. Water Quality

Project construction and the construction of other projects in the cumulative study area would have the potential to contribute waterborne pollution, including erosion and siltation, to the San Joaquin River Watershed. Pursuant to the requirements of the State Water Resources Control Board, all construction projects that disturb 1.0 or more acres of land area are required to obtain coverage for construction activities under the State's General Construction NPDES Permit. In order to obtain coverage, an effective site-specific SWPPP is required to be developed and implemented. The SWPPP must identify potential on-site pollutants and identify an effective combination of erosion control and sediment control measures to reduce or eliminate discharge of pollutants to surface waters. In addition, the Project Applicant and all cumulative developments in Eastern San Joaquin Groundwater Subbasin would be required to comply with the Eastern San Joaquin Groundwater Basin Plan, which establishes water quality standards for ground and surface waters of the region. Compliance with these mandatory regulatory requirements, would ensure that development projects within the San Joaquin River Watershed, including the Project, would not contribute substantially to water quality impairments during construction.



Operational activities on the Project site would be required to comply with the Project's SWQMP to minimize the amount of waterborne pollution, including erosion and sediment, discharged from the site. Other development projects within the watershed would similarly be required by law to prepare and implement site-specific SWQMPs to ensure that runoff does not substantially contribute to water quality violations. Accordingly, operation of the Project would not contribute to cumulatively-considerable water quality effects.

B. Groundwater Supplies and Management

Although the Project would increase impervious surface coverage on the site, the Project incorporates design features that would allow surface runoff to infiltrate into the groundwater basin. Other development projects would similarly be required by applicable lead agencies to incorporate design features that facilitate percolation (e.g., through minimum landscaped/permeable area requirements, water quality/detention basins, infiltration basins). No component of the Project would obstruct with or prevent implementation of the applicable groundwater management plan and other development projects within the basin. Based on the lack of impacts to groundwater, the provision of design measures that would facilitate percolation, and compliance with applicable Groundwater Basin management plans, cumulative development would not result in a considerable, adverse effect to local groundwater supplies.

C. Flooding

Construction of the Project and other development projects within the San Joaquin River Watershed would be required to comply with federal, State, and local regulations and applicable regional and local master drainage plans in order to mitigate flood hazards both on- and off-site. Compliance with federal, State, and local regulations and applicable drainage plans would require development sites to be protected from flooding during peak storm events (i.e., 100-year storm) and also would not allow development projects to expose downstream properties to increased flooding risks during peak storm events. In addition, future development proposals within the San Joaquin River Watershed would be required to prepare hydrologic and hydraulic calculations, subject to review and approval by the responsible City/County Engineer, to demonstrate that substantial on- and/or off-site flood hazards would not occur. As discussed under the response to Threshold "c," the Project is designed to ensure that runoff from the Project site during peak storm events would be reduced compared to existing conditions. Because the Project and all other developments throughout the San Joaquin River Watershed, would need to comply with federal, State, and local regulations to ensure that stormwater discharges do not substantially exceed existing volumes or exceed the volume of available conveyance infrastructure, a substantial cumulative impact related to flood hazards would not occur.

Additionally, the Project site is not located within a special flood hazard area or in an area subject to inundation. Accordingly, development on the Project site would have no potential to impede or redirect flood flows and a cumulatively-considerable impact would not occur.



4.8.8 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold a: Less-than-Significant Impact. Through compliance with the NPDES permits and the implementation of the required SWPPP during construction activities and the implementation of BMPs from the Project-specific WQMP during long-term operation, the Project would result in less than significant surface water and groundwater quality impacts and would not violate any water quality standards.

Threshold b: Less-than-Significant Impact. Groundwater supplies needed for Project development have been planned for by the City's General Plan and UWMP. Buildout of the Project with the proposed design features would not interfere substantially with groundwater recharge or impede sustainable groundwater management of Eastern San Joaquin River groundwater basin. As such, based on the foregoing analysis, the Project is not anticipated to substantially interfere with groundwater recharge and impacts would be less than significant.

Threshold c: Less-than-Significant Impact. The Project Applicant would be required to comply with applicable water quality regulatory requirements to minimize erosion and siltation. Additionally, the Project would not result in flooding on- or off-site or impede/redirect flood flows. Last, the Project would not create or contribute to increased flooding risks due to insufficient capacity of existing or planned stormwater drainage systems or and would not provide substantial additional sources of polluted runoff.

Threshold d: No Impact. The Project site would not be subject to inundation from tsunamis, seiches, or other hazards.

Threshold e: No Impact. The Project has no potential to conflict with any water quality control plans or sustainable groundwater management plans. No impact would occur.

4.8.9 MITIGATION

Impacts would be less than significant and mitigation is not required.

4.8.10 SIGNIFICANCE OF IMPACTS AFTER MITIGATION

Impacts would be less than significant.



4.9 LAND USE AND PLANNING

The following analysis was based on information obtained from the City of Manteca General Plan; the City of Manteca Municipal Code, and San Joaquin Council of Governments (SJCOG) 2020 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). All references in this Subsection are listed in EIR Section 7.0, *References*.

4.9.1 NOP/SCOPING MEETING COMMENTS

A Notice of Preparation (NOP) for the Project was released for public review on December 6, 2024, and an EIR Scoping meeting was held on December 12, 2024. No comments were made during the EIR Scoping Meeting that pertain to Land Use and Planning. Additionally, no comments related to Land Use and Planning were received during the public scoping period.

Additionally, during the MND’s public review period from May 3, 2021 and June 1, 2021, one comment from the DOJ’s Bureau of Environmental Justice was received. Comments received requested a detailed project description, additional technical analysis (e.g., air quality and greenhouse gas emissions modeling), demonstration of consistency with the City’s General Plan, additional feasible mitigation measures, and consultation with responsible agencies. The Project has been revised and analysis has been updated to address concerns from the DOJ’s Bureau of Environmental Justice. Project’s consistency with the City’s General Plan are presented in Table 4.9-2, *General Plan Consistency Analysis*, below.

4.9.2 EXISTING CONDITIONS

A. Project Site

Under existing conditions, the Project site is currently vacant and covered in routinely disked ruderal grassland. Six trees exist on the northwest corner of the Project site. An eight-foot solid sound wall extends along the western site boundary, and the Manteca Tidewater Bikeway extends along the eastern site boundary.

B. Surrounding Land Uses

Existing land uses in the immediate vicinity of the Project site are illustrated Figure 2-1, *Surrounding Land Uses*, and are described below in Table 4.9-1, *Surrounding Land Uses*.



Table 4.9-1 Surrounding Land Uses

| Direction from Project Site | Existing Land Use | General Plan Land Use Designation | Zoning |
|------------------------------------|---|--|--------------------------------|
| North | Commercial and Industrial Uses (JM Hunt Equipment Company, Valley Cancer Medical Center, Yosemite Medical Arts) | I - Industrial | BIP (Business Industrial Park) |
| South | Industrial Uses (American Modular Systems, a manufacturer of modular classroom and school buildings) | I - Industrial | BIP (Business Industrial Park) |
| East | Industrial Uses (Ford Parts Distribution Center and Prologis Industrial Warehouse) | I - Industrial | M2 (Heavy Industrial) |
| West | Residential Uses | LDR - Low Density Residential | R-1 (One-Family Dwelling) |

C. General Plan Land Use Designation

As depicted on Figure 2-2, *Existing General Plan Land Use Map*, the City’s General Plan designates the Project site for I – Industrial. This designation provides for manufacturing, processing, assembling, research, wholesale, and storage uses, trucking terminals, railroad and freight stations, industrial parks, warehouses, distribution centers, light manufacturing, public and quasi-public uses and similar and compatible uses. Uses that are incompatible with residential uses due to noise, vibration, or other characteristics are not permitted in locations that may impact existing or future residential development. (City of Manteca, 2024a)

D. Zoning Designation

As shown in Figure 2-3, *Existing Zoning*, the Project site is zoned BIP (Business Industrial Park). According to the Manteca Municipal Code, this designation creates large sites for office park environment that includes multi-tenant buildings. It will be well suited for research and development facilities and light industrial uses, as well as professional and medical offices. Warehouses will be permitted but limited in size. (City of Manteca, 2024b)

4.9.3 REGULATORY FRAMEWORK

A. State

1. California Planning and Zoning Law

The legal framework in which California cities and counties exercise local planning and land use functions is set forth in the California Planning and Zoning Law, §§ 65000 - 66499.58. Under State of California planning law, each city and county must adopt a comprehensive, long-term general plan. State law gives cities and counties wide latitude in how a jurisdiction may create a general plan, but there are fundamental requirements that must be met. These requirements include the inclusion of seven mandatory elements described in the Government Code, including a section on land use. Each of the elements must contain text and descriptions setting forth objectives, principles, standards, policies, and plan proposals; diagrams and maps that incorporate data and analysis; and mitigation measures. (OPR, n.d.)



2. *Office of Planning and Research (OPR) General Plan Guidelines*

Each city and county in California must prepare a comprehensive, long term general plan to guide its future. To assist local governments in meeting this responsibility, the Governor’s Office of Planning and Research (OPR) is required to adopt and periodically revise guidelines for the preparation and content of local general plans pursuant to Government Code § 65040.2. The General Plan Guidelines are advisory, not mandatory. Nevertheless, it is the state’s only official document explaining California’s legal requirements for general plans. Planners, decision-making bodies, and the public depend upon the General Plan Guidelines for help when preparing local general plans. The courts have periodically referred to the General Plan Guidelines for assistance in determining compliance with planning law. For this reason, the General Plan Guidelines closely adheres to statute and case law. It also relies upon commonly accepted principles of contemporary planning practice. (OPR, 2017a, p. 1)

B. Regional

1. *San Joaquin Council of Governments (SJCOG)*

On August 25, 2022, the SJCOG Board voted to adopt the 2022 RTP/SCS which is a transportation investment strategy through 2046, identifying transportation needs to keep pace with anticipated growth and development as well as advancing various sustainability goals. The 2022 RTP/SCS continues to provide a sustainability vision through the year 2046 that recognizes the significant impact the transportation network has on the region’s public health, mobility and economic vitality. As the region’s comprehensive long-range transportation planning document, the plan serves as a guide for achieving public policy decisions that will result in balanced investments for a wide range of multimodal transportation improvements.

C. Local

1. *City of Manteca General Plan*

The City of Manteca’s prevailing planning document is its General Plan, adopted February 2024. The City’s General Plan is comprised of nine topical elements: Land Use, Growth Management, Circulation, Community Design, Economic Development, Community Facilities & Services, Resource Conservation, Safety, and Housing. The General Plan policy document contains the goals and policies that will guide future decisions within the City and identifies implementation measures to ensure the vision and goals of the General Plan are carried out. It serves as a framework for public and private development and establishes requirements for additional planning studies where greater specificity is needed. (City of Manteca, 2024a)

4.9.4 METHODOLOGY

The following analysis considers whether the Project would conflict with applicable planning documents, plans, or policies from the City and other agencies that were adopted for the purposes of avoiding or mitigating an environmental effect and whether those conflicts, if any, would cause significant environmental effects. A determination regarding a project’s consistency with an applicable



plan is made by the Lead Agency. Consistency is achieved where a project furthers the overall objectives and policies of a plan and where it would not obstruct their attainment. Project consistency was analyzed for the following plans: SJCOG’s RTP/SCS and the City of Manteca General Plan.

A project’s conflict with a policy is considered significant if such inconsistency would cause significant physical environmental impacts. A policy conflict is not in and of itself considered a significant impact but may be evidence that an underlying physical impact is significant and adverse.

4.9.5 BASIS FOR DETERMINING SIGNIFICANCE

Section XI of Appendix G to the CEQA Guidelines addresses typical adverse effects to land use and planning resources, and includes the following threshold questions to evaluate the Project’s impacts on land use and planning resources:

- a. *Physically divide an established community;*
- b. *Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

4.9.6 IMPACT ANALYSIS

Threshold a: Would the Project physically divide an established community?

The Project proposes the construction and operation of a 289,499 s.f. industrial building in the Spreckels Business Park. As previously shown in Figure 3-2, *Vicinity Map*, the Project is primarily surrounded by commercial, industrial, and residential uses. As the Project site is surrounded by Spreckels Avenue to the east, existing industrial and commercial development to the north, south and east, implementation of the Project represents a logical expansion of industrial development on the Project site. The proposed development is consistent with the surrounding land uses in the area and would not introduce a new use that potentially would separate existing communities through incompatible development (e.g., by limiting access to surrounding areas). Moreover, the Project is consistent with the City’s General Plan land use designations and zoning. Therefore, redevelopment of the site would not physically divide an established community. Additionally, the Project does not propose major off-site infrastructure or physical barriers to mobility in the area; implementation of the Project would result in less than significant impacts associated with the physical division of an established community. Impacts would be less than significant.

Threshold b: Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

The Project’s consistency with land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect is discussed below. This section includes an analysis of consistency with the City’s General Plan and SJCOG’s 2022 RTP/SCS.



1. City of Manteca General Plan

Table 4.9-2, *General Plan Consistency Analysis*, provides an analysis of the Project’s consistency with all applicable General Plan goals and policies that were adopted for the purpose of avoiding or mitigating an environmental effect. As shown in Table 4.9-2, the Project would not conflict with any of the applicable General Plan goals and policies. Accordingly, the Project would have a less-than significant impact.

Table 4.9-2 General Plan Consistency Analysis

| General Plan Policy | Consistency |
|---|---|
| Land Use Element | |
| <i>Goal LU-2 Promote infill development and provide for orderly, well-planned, and balanced growth that does not exceed the City’s available infrastructure capacity and resources and is consistent with the General Plan.</i> | |
| Policy LU-2.2 Encourage growth to contribute to the city’s strong, diversified economic base and provide an appropriate balance between employment and housing opportunities for all income levels. | No Conflict. As discussed in Section 5.0, <i>Other CEQA Considerations</i> , of this EIR, the Project would generate approximately 358 employees. The Project proposes to develop a modern Class “A” industrial building in the City of Manteca in close proximity to the State highway system, creating a professional, well-maintained and attractive environment. Therefore, the Project would not conflict with Policy LU-2.2 |
| <i>Goal LU-5 Increase employment opportunities across all sectors of the economy to enhance Manteca’s reputation as an employment center in southern San Joaquin County and to improve upon Manteca’s jobs-to-housing ratio.</i> | |
| Policy LU-5.4 Ensure that employment-generating development, such as industrial, warehouse, distribution, logistics, and fulfillment projects, does not result in adverse impacts (including health risks and nuisances), particularly to residential uses and other sensitive receptors, including impacts related to the location and scale of buildings, lighting, noise, smell, and other environmental and environmental justice considerations. When development is incompatible, require adequate buffers and/or architectural consideration to protect residential areas, developed or undeveloped, from intrusion of nonresidential activities that may degrade the quality of life in such residential areas. | No Conflict. As discussed in Section 4.1, <i>Air Quality</i> , of this EIR, TAC emissions generated as a result of Project construction activities would not exceed SJVAPCD cancer or non-cancer health risk thresholds. Additionally, with the implementation of Mitigation Measure MM 4.1-1, the Project’s operational TAC emissions would not exceed SJVAPCD cancer risk significance thresholds; thus, the Project’s operational TAC emissions would result in a less than significant health risk impact with mitigation incorporated. As discussed in Section 5.0, <i>Other CEQA Considerations</i> , the Project would be consistent with Section 17.50.060 of the City’s Municipal Code, which establishes general lighting standards, light fixtures would be designed to be architecturally compatible with the main theme of the building, would be of appropriate height relative to the scale of the building, would illuminate building entrances, and would provide for illumination for security and safety of on-site areas. As discussed in Section 4.10, <i>Noise</i> , of this EIR, implementation of Mitigation Measures MM 4.10-1 through MM 4.10-3 would ensure that Project construction and operational noise would not exceed significance thresholds. As such, the Project would not generate substantial temporary or permanent increase in |



| General Plan Policy | Consistency |
|--|---|
| | ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Therefore, the Project would not conflict with Policy LU-5.4. |
| Policy LU-5.7 Require common amenities, detention facilities, and pedestrian and bicycle facilities and linkages to be incorporated into the landscaping and site design | No Conflict. As discussed in Section 3.0, <i>Project Description</i> , of this EIR, the Project would install an underground infiltration basin and bioretention planter to treat runoff and would also install 12 short-term and 12 long-term bike parking spaces. Additionally, the existing sidewalk and Class 1 bike path along Spreckels Avenue would be maintained. Therefore, the Project would not conflict with Policy LU-5.7. |
| Policy LU-5.11 As part of the application review process, ensure that employment generating projects incorporate best practices and mitigation measures, where necessary, as recommended by the State, including best practices identified by CARB, SJVAPCD, and the California Attorney General, including the Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act, as may be amended or replaced. | No Conflict. As discussed in Section 4.1 <i>Air Quality</i> , of this EIR, Project-related activities would not exceed the applicable SJVAPCD thresholds of significance during construction and operations. As such, Project-related emissions would not violate SJVAPCD air quality standards or contribute to the non-attainment of ozone standards in SJVAB, and impacts would be less than significant. Mitigation Measure MM 4.1-1, which requires electrical hookups to all TRU loading docks, would ensure the Project’s operational TAC emissions would not exceed SJVAPCD cancer risk significance thresholds. Therefore, the Project would not conflict with Policy LU-5.11. |
| <i>Goal LU-9 Create an environmentally just city with an equitable distribution of public facilities and services, a safe and healthy environment, including access to healthy foods, recreation and activity, and public services, and opportunities for public input for all community members that provide fair treatment and opportunities for meaningful involvement for all people, including disadvantaged and underrepresented populations.</i> | |
| Policy LU-9.2 As part of land use decisions, ensure that environmental justice issues related to potential adverse health impacts associated with land use decisions, including methods to reduce exposure to hazardous materials, industrial activity, vehicle exhaust, other sources of pollution, and excessive noise on residents regardless of age, culture, gender, race, socioeconomic status, or geographic location, are considered and addressed. | <p>No Conflict. As discussed in Section 4.1, <i>Air Quality</i>, of this EIR, TAC emissions generated as a result of Project construction activities would not exceed SJVAPCD cancer or non-cancer health risk thresholds. Moreover, with the implementation of Mitigation Measure MM 4.1-1, the Project’s operational TAC emissions would not exceed SJVAPCD cancer risk significance thresholds; thus, the Project’s operational TAC emissions would result in a less than significant health risk impact with mitigation incorporated.</p> <p>As discussed in Section 4.10, <i>Noise</i>, of this EIR, implementation of Mitigation Measures MM 4.10-1 through MM 4.10-3 would ensure that Project construction and operational noise would not exceed significance thresholds. As such, the Project would not generate substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in</p> |



| General Plan Policy | Consistency |
|---|--|
| | <p>excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.</p> <p>As discussed in Section 4.7, <i>Hazards and Hazardous Materials</i>, of this EIR, implementation of Mitigation Measure MM 4.7-1 would ensure preparation of an SMP addendum and compliance, which would reduce the Project’s potential impacts related to exposure resulting from routine transport, use, or disposal of contaminated or potentially contaminated soils to a less than significant level. Therefore, the Project would not conflict with Policy LU-9.2.</p> |
| Circulation Element | |
| <p><i>Goal C-2 Provide a safe, high-quality, climate-resilient transportation system that addresses all modes of travel and includes attractive streetscapes with native and drought-resistant landscaping, street trees, planted berms, and landscaped medians.</i></p> | |
| <p>Policy C-2.3 Require new development to pay a fair share of the costs of street and other transportation improvements based on impacts in conformance with the goals and policies established in this Circulation Element and the Public Facilities Implementation Program (PFIP).</p> | <p>No Conflict. As discussed in the Project’s Traffic Analysis (<i>Technical Appendix K</i>), the Project would be required to install a traffic signal at Spreckels Avenue and Phoenix Drive. Therefore, the Project would not conflict with Policy C-2.3.</p> |
| <p>Policy C-2.16 Ensure that development and infrastructure projects are designed in a way that provides pedestrian and bicycle connectivity to adjacent neighborhoods and areas (such as ensuring that sound walls, berms, and similar physical barriers are considered and gaps or other measures are provided to ensure connectivity).</p> | <p>No Conflict. As discussed in Section 4.11, <i>Transportation</i>, of this EIR, there is an existing sidewalk and bike path along Spreckels Avenue. This sidewalk and bike path will be maintained as part of the Project. Additionally, as discussed in Section 3.0, <i>Project Description</i>, of this EIR, the Project would also install 12 short-term and 12 long-term bike parking spaces near the office areas. Therefore, the Project would not conflict with Policy C-2.16.</p> |
| <p>Policy C-2.19 Prohibit the creation of traffic, bicycle, and pedestrian hazards and conflicts with vehicular traffic movements in new development, infill development, and redevelopment areas and pursue opportunities to improve conditions where there are existing conflicts to ensure that the pedestrian and bicycle network provides a direct and convenient route equal to or greater than vehicular routes in new development, infill, and redevelopment areas.</p> | <p>No Conflict. The existing sidewalk on Spreckels Avenue will be maintained. As discussed in Section 4.11, <i>Transportation</i>, of this EIR, the Project would not substantially increase hazards due to a geometric design feature or incompatible uses. The Project’s circulation plan has been designed to be compatible with all foreseeable vehicles. During construction, frontage improvements including median improvements, sidewalks, driveway modifications needed to accommodate site access, and landscaping improvements would be constructed in accordance with City standards. Therefore, the Project would not conflict with Policy C-2.19.</p> |
| <p><i>Goal C-3 Establish reasonable vehicle parking requirements (minimum and maximum rates for uses) that limit parking encroachment while minimizing the amount of land consumed by parking lots.</i></p> | |



| General Plan Policy | Consistency |
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| <p>Policy C-3.2 Require new development to provide an appropriate number of off-street parking spaces to accommodate the typical parking demands of the type of development on the site. The City may dictate both minimum and maximum amounts of parking to ensure that adequate parking is available for typical activities associated with a use as well as for special events, where anticipated and appropriate, and to ensure that parking standards encourage alternatives to single occupant vehicles.</p> | <p>No Conflict. As shown in Figure 3-4, <i>Proposed Site Plan</i>, the Project is required to provide 180 parking stalls, with 92 stalls being electric vehicle (EV) capable. The Project would provide a total of 184 on-site passenger vehicle spaces. Of the 184 spaces, 97 stalls would be designated as standard, 4 stalls would be designated ADA Accessible, 4 stalls would be designated as ADA Van Accessible, 79 stalls would be designated as electric vehicle capable. Therefore, adequate parking is provide onsite and the Project would not conflict with Policy C-3.2.</p> |
| <p><i>Goal C-4 Provide a safe, secure, comfortable, and convenient pedestrian and bicycle system that connects riders of all ages and abilities to schools, including safe routes to schools, retail, employment centers, public facilities, and parks.</i></p> | |
| <p>Policy C-4.3 Provide a sidewalk and bicycle route system that serves all pedestrian and bicycle users and meets the latest guidelines related to the Americans with Disabilities Act (ADA).</p> | <p>No Conflict. As discussed above, the existing sidewalk on Spreckels Avenue will be maintained. As shown in Figure 3-4, <i>Proposed Site Plan</i>, an ADA path of travel is provided from all ADA parking stalls to all entrances around the proposed building and the existing sidewalk and bike path on Spreckels Avenue. Therefore, the Project would provide a sidewalk and bicycle route system that serves all pedestrian and bicycle users, meet the latest guidelines related to ADA and would not conflict with Policy C-4.3.</p> |
| <p>Policy C-4.4 Provide bicycle parking facilities at commercial, business/professional and light industrial uses in accordance with Part 11 of the California Building Standards Code.</p> | <p>No Conflict. As shown in Figure 3-4, <i>Proposed Site Plan</i>, the Project is required to provide a total of 18 bicycle racks (9 short-term and 9 long-term). The Project would install 12 short-term and 12 long-term bike parking spaces near the office areas. Therefore, the Project would provide bicycle parking facilities in accordance with Part 11 of the California Building Standards Code and would not conflict with Policy C-4.4.</p> |
| <p><i>Goal C-6 Accommodate truck and freight movements by participating in the development and implementation of an efficient regional goods and freight movement network that balances the need to support job creation with the need to protect people from noise, emissions, and other impacts created by goods and freight movement (rail and trucks).</i></p> | |
| <p>Policy C-6.1 Encourage the development of industrial and warehousing centers near regional transportation facilities, UPRR, I-5, SR 99, and Stockton Airport; and away from residential land uses.</p> | <p>No Conflict. The Project proposes the construction and operation of a289,499 s.f. industrial building in the Spreckels Business Park. As shown in Figure 3-2, <i>Vicinity Map</i>, SR-99 is approximately 0.38 miles to the east of the Project site. Although residential uses are located to the west of the Project site, Project’s operational TAC emissions would not exceed SJVAPCD cancer risk significant thresholds with the implementation of Mitigation Measure MM 4.1-1 (see Section 4.1, <i>Air Quality</i>, of this EIR). Therefore, the Project would not conflict with Policy C-6.1.</p> |



| General Plan Policy | Consistency |
|--|---|
| <p>Policy C-6.3 Require new industrial development to pay a fair share toward improvements required to accommodate heavy vehicles, including increased pavement wear.</p> | <p>No Conflict. The Project Applicant will be required to pay a fair share toward improvements required to accommodate heavy vehicles, including increased pavement wear. As discussed previously, a traffic signal will be installed at the intersection of Spreckels Avenue and Phoenix Drive.</p> |
| <p>Policy C-6.6 Adopt and enforce vehicle weight limit and other freight movement restrictions on roadways near sensitive uses like schools and residential neighborhoods to prohibit cut-through truck traffic.</p> | <p>No Conflict. The Project’s trucks would travel on Spreckels Avenue, Yosemite Avenue and South Main Street, which are designated Surface Transportation Assistance Act (STAA) truck routes to access SR-99 and SR-120. Therefore, the Project would not conflict with Policy C-6.6.</p> |
| <p><i>Goal C-7 Reduce vehicle miles traveled associated with trips within, to, and from the City while expanding access and mobility options for residents, employees, and visitors</i></p> | |
| <p>Policy C-7.2 Require development projects that accommodate or employ 50 or more full-time equivalent employees to establish a transportation demand management (TDM) program that meets or exceeds applicable standards, including Air District requirements.</p> | <p>No Conflict. As discussed in Section 4.6, <i>Greenhouse Gas Emissions</i>, the Project is anticipated to employ approximately 358 people. As such, a TDM program would be required for the Project, and the project would comply with this measure. Therefore, the Project would not conflict with Policy C-7.2.</p> |
| <p>Policy C-7.4 Require proposed development projects that could have a potentially significant VMT impact to consider reasonable and feasible project modifications and other measures during the project design and environmental review stage of project development that would reduce VMT effects in a manner consistent with state guidance on VMT reduction.</p> | <p>No Conflict. As discussed in Section 4.11, <i>Transportation</i>, of this EIR, the Project meets the Small Projects criteria, which means it can be screened out from further VMT analysis, since it is consistent with the City’s General Plan, and it generates fewer than the corresponding significance threshold of 1,000 daily trips (ADT). Therefore, VMT impacts generated by the Project would be less than significant. Therefore, the Project would not conflict with Policy C-7.4.</p> |
| <p>Community Design Element</p> | |
| <p><i>Goal CD-1 Strengthen Manteca’s identity and sense of place by reinforcing the community’s distinctive, high-quality urban form, natural landscape, and character.</i></p> | |
| <p>Policy CD-1.1 Require development projects to preserve positive characteristics and unique features of the site and consider the scale and character of adjacent uses.</p> | <p>No Conflict. As discussed in Section 3.0, <i>Project Description</i>, of this EIR, the proposed building would be a one-story, 45-foot tall warehouse/distribution and office facility, which has been designed to be visually compatible with the adjacent buildings. There are varying aesthetic colors and materials which eliminate the appearances of “sameness” or “flat” from the publicly visible elevations. The proposed building would be constructed with concrete tilt-up panels, with special architectural features and colors at the potential office locations at the corners of the building, which also would feature low-reflective green glass. Therefore, the Project would be consistent with the scale and character of surrounding industrial buildings and would not conflict with Policy CD-1.1.</p> |



| General Plan Policy | Consistency |
|--|--|
| <p>Policy CD-1.3 Recognize and enhance natural features and protect cultural and historic resources.</p> | <p>No Conflict. As discussed in Section 4.3, <i>Cultural Resources</i>, of this EIR, the cultural resource isolate that was discovered during the pedestrian survey was documented and is not considered a historical resources eligible for listing in the California Register of Historical Resources (CRHR). Additionally, implementation of Mitigation Measures MM 4.3-1 and MM 4.3-2 would ensure the Project’s potential impacts to cultural and historical resources reduce a less than significant level. Therefore, the Project would not conflict with Policy CD-1.3.</p> |
| <p>Policy CD-1.4 Emphasize native, drought-tolerant landscaping as a fundamental design component, retaining mature landscaping when appropriate, to reinforce a sense of the natural environment and to maintain an established appearance.</p> | <p>No Conflict. As discussed in Section 3.0, <i>Project Description</i>, of this EIR, the proposed landscaping primarily would be ornamental in nature and would feature trees, shrubs, and drought-tolerant accent plants in addition to a variety of groundcovers. trees, shrubs, and groundcover are proposed along the Project’s frontage with Spreckels Avenue and along the Project site’s northern, western, and southern boundaries. The existing trees at the Project frontage would be protected in place. Additionally, the Project would be required to comply with the City’s Water Efficient Landscape Ordinance. Therefore, the Project would not conflict with Policy CD-1.4.</p> |
| <p>Policy CD-1.5 Require property owners to maintain structures and landscaping to high standards of design, health, and safety, including fire safety.</p> | <p>No Conflict. See Policy CD-1.1 and CD-1.4, above. Additionally, as discussed in Section 5.0, <i>Other CEQA Considerations</i>, of this EIR, the Project would be required to comply with the provisions of the Municipal Code Chapter 15.24 which adopts the 2022 California Fire Code (CFC) regarding fire prevention and suppression measures relating to water improvement plans, fire hydrants, automatic fire extinguishing systems, fire access, access gates, combustible construction, water availability, and fire sprinkler systems. Therefore, the Project would not conflict with Policy CD-1.5.</p> |
| <p><i>Goal CD-2 Ensure project designs reinforce a sense of place, reflect human scale and orientation, and are cohesive and sensitive to the surrounding built environment and/or natural landscape.</i></p> | |
| <p>Policy CD-2.1 Promote architectural design that exhibits timeless character and is constructed with high quality materials that support sustainable practices and reduce environmental impacts.</p> | <p>No Conflict. See Policy CD-1.1 above. Additionally, the Project building would be designed, constructed, operated, and/or maintained in accordance with Leadership in Energy and Environmental Design (LEED) standards. The Project building would be designed and built to meet the standard for LEED Silver Certification, or above. Therefore, the Project would not conflict with Policy CD-2.1.</p> |
| <p>Policy CD-2.2 Utilize architectural design features (e.g., windows, columns, offset roof planes, etc.) to vertically</p> | <p>No Conflict. See Policy CD-1.1 above. Therefore, the Project would not conflict with Policy CD-2.2.</p> |



| General Plan Policy | Consistency |
|---|---|
| and horizontally articulate elevations for all sides of buildings. | |
| Policy CD-2.3 Provide purposeful variations in color, texture, materials, articulation, and architectural treatments that coincide with the associated architectural style. Avoid long expanses of blank, monotonous walls or fences through the use of vertical and horizontal façade or fence articulation achieved through stamping, colors, materials, modulation, and landscaping. | No Conflict. See Policy CD-1.1 above. The primary color scheme of the proposed building would include varying shades of white, grays, and tan. Therefore, the Project would not conflict with Policy CD-2.3. |
| Policy CD-2.6 Locate site entries, parking areas, storage bays, and service areas of buildings to minimize conflicts with adjacent properties, especially residential neighborhoods | No Conflict. As shown in Figure 3-4, <i>Proposed Site Plan</i> , access to the Project site would be provided by two driveways along Spreckels Avenue to the east, and a third entry way along the utility access road of the adjacent industrial park to the north. Truck traffic would enter from either the northeast or southeast corner of the Project site and would follow the perimeter of the proposed building. Loading activities would be conducted on the south side of the building, shielded from views from the adjacent streets and residential uses to the west. Therefore, the Project would not conflict with Policy CD-2.6. |
| Policy CD-2.7 Ensure that new development and redevelopment reinforces desirable elements of its neighborhood, district, or center, including architectural style, scale, and setback patterns | No Conflict. See Policy CD-1.1 above. Additionally, as discussed in Section 5.0, <i>Other CEQA Considerations</i> , of this EIR, the Project would be consistent with the setback requirements under the development standards stipulated in Table 17.26.020-1 of Section 17.26.020 of the City’s Municipal Code. Therefore, the Project would not conflict with Policy CD-2.7. |
| Policy CD-2.10 Require that lighting and fixtures be integrated with the design and layout of a project and that they provide a desirable level of security and illumination | No Conflict. As discussed in Section 3.0, <i>Project Description</i> , of this EIR, exterior lighting would be installed on-site as necessary for safety, security, and wayfinding. Decorative architectural lighting as well as landscape lighting would also be installed to accent building entries as focal points throughout the site. Exterior loading and parking areas would also be illuminated at night. Therefore, the Project would not conflict with Policy CD-2.10. |
| <i>Goal CD-7 Maintain and enhance Manteca’s commitment to sustainable design by minimizing negative environmental impacts and utilizing resources efficiently.</i> | |
| Policy CD-7.2 Encourage passive solar design and energy-efficient concepts, including, but not limited to natural heating and/or cooling, sun and wind exposure and orientation, and other solar energy opportunities. | No Conflict. The Project building would be designed and built to meet the standard for LEED Silver Certification, or above, which incorporates energy efficiency features. Additionally, solar would be installed at the Project building. Therefore, the Project would not conflict with Policy CD-7.2. |
| Economic and Fiscal Vitality Element | |
| <i>Goal EF-7 Assure that adequate public and private infrastructure is available to support new and the expansion of existing businesses.</i> | |



| General Plan Policy | Consistency |
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| <p>Policy EF-7.4 Require development projects to fund and/or construct the infrastructure required to serve the development.</p> | <p>No Conflict. As discussed in Section 3.0, <i>Project Description</i>, of this EIR, the Project would construct a 2-inch water main, 6-inch sewer line, underground storm drain lines, infiltration basin, and bioretention planter to connect to the existing infrastructure system on Spreckels Avenue. Therefore, the Project would not conflict with Policy EF-7.4.</p> |
| <p>Community Facilities & Services Element</p> | |
| <p><i>Goal CF-2 Prioritize a safe community through the provision of high quality police services and crime prevention measures.</i></p> | |
| <p>Policy CF-2.6 Ensure crime-reduction and public safety features are incorporated into the design of new development projects through implementation of Crime Prevention Through Environmental Design (CPTED) techniques</p> | <p>No Conflict. As discussed in Section 3.0, <i>Project Description</i>, of this EIR, the Project incorporates safety features such as setbacks from the street and well-lit exterior spaces with visual exposure. Therefore, the Project would not conflict with Policy CF-2.6.</p> |
| <p>Policy CF-2.7 Emphasize the use of CPTED to ensure that physical site planning is an effective means of preventing crime. Residential, commercial, industrial, and open space land uses shall incorporate landscaping, sidewalks, parking lots, parks, play areas, and other public spaces that are designed with maximum feasible visual and aural exposure to community residents.</p> | <p>No Conflict. As shown in Figure 3-4, <i>Proposed Site Plan</i>, landscaping would be provided along the Project’s frontage with Spreckels Avenue and along the Project site’s northern, western, and southern boundaries. Additionally, parking would be provided western and eastern sides of the building. Moreover, exterior lighting would be installed on-site as necessary for safety, security, and wayfinding. Therefore, the Project would not conflict with Policy CF-2.7.</p> |
| <p><i>Goal CF-3 Ensure the provision of high quality and responsive fire protection services.</i></p> | |
| <p>Policy CF-3.5 Ensure that new development is designed, constructed, and equipped consistent with the requirements of the California Fire Code in order to minimize the risk of fire.</p> | <p>No Conflict. As discussed in Section 5.0, <i>Other CEQA Considerations</i>, of this EIR, the Project would be required to comply with the provisions of the Municipal Code Chapter 15.24 which adopts the 2022 California Fire Code (CFC) regarding fire prevention and suppression measures relating to water improvement plans, fire hydrants, automatic fire extinguishing systems, fire access, access gates, combustible construction, water availability, and fire sprinkler systems. Additionally, as part of the site plan review process, the City of Manteca Fire Department has reviewed the Project’s site plan to ensure fire safety. Therefore, the Project would not conflict with Policy CF-3.5.</p> |
| <p>Policy CF-3.6 Ensure that new development and existing development, including older, low income, and disadvantaged areas, is served with adequate water volumes and water pressure for fire protection.</p> | <p>No Conflict. As discussed in Section 5.0, <i>Other CEQA Considerations</i>, of this EIR, the City’s 2020 Urban Water Management Plan projects a surplus in supply during normal year conditions through the year 2045. Additionally, as a condition of approval for the Project, total fire flow shall be calculated and submitted to the City prior to construction. Therefore, the Project would not conflict with Policy CF-3.6.</p> |



| General Plan Policy | Consistency |
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| <i>Goal CF-6 Provide an adequate, reliable, and safe water supply, storage, and distribution system to meet the needs of existing and projected development.</i> | |
| Policy CF-6.1 Ensure the water system and supply is adequate to meet the needs of existing and future development and is utilized in a sustainable manner. | No Conflict. As discussed in Section 5.0, <i>Other CEQA Considerations</i> , of this EIR, the City’s 2020 Urban Water Management Plan projects a surplus in supply during normal year conditions through the year 2045. The Project is consistent with the City’s General Plan land use designation and therefore consistent with Citywide growth and buildout projections assumed in the City’s 2020 Urban Water Management Plan. Thus, there would be sufficient reliable water supplies available to meet Project demands. Therefore, the Project would not conflict with Policy CF-6.1. |
| Policy CF-6.7 Ensure that all new development provides for and funds a fair share of the costs for adequate water distribution, including line extensions, easements, and plant expansions | No Conflict. As shown in Figure 3-8, <i>Proposed Utility Plan</i> , a proposed 2-inch water main that would extend from the northeastern corner of the building to an existing point of connection at Spreckels Avenue to the existing 12-inch water main would be installed as part of the Project. Additionally, the Project applicant would be required to pay all applicable development impact or service connection fees including fees for water services. Therefore, the Project would not conflict with Policy CF-6.7. |
| <i>Goal CF-7 Maintain an adequate sewage collection, treatment, and disposal system to meet the needs of existing and projected development.</i> | |
| Policy CF-7.1 Ensure adequate wastewater collection and treatment infrastructure to serve existing and future development and the safe disposal of wastes. | No Conflict. As discussed in Section 5.0, <i>Other CEQA Considerations</i> , of this EIR, there is adequate treatment capacity at the City’s Wastewater Quality Control Facility (WQCF) to serve the build out of the City, including the Project. Therefore, the Project would not conflict with Policy CF-7.1. |
| <i>Goal CF-8 Provide an adequate level of service in the City’s drainage system to accommodate runoff from existing and projected development and to prevent property damage due to flooding.</i> | |
| Policy CF-8.2 Require all development projects to demonstrate how storm water runoff will be detained or retained on-site and/or conveyed to the nearest drainage facility as part of the development review process and as required by the City’s NPDES Municipal Regional Permit. Project applicants shall mitigate any drainage impacts as necessary and shall demonstrate that the project will not result in any increase in off-site runoff during rain and flood events. | No Conflict. As discussed in Section 4.8, <i>Hydrology and Water Quality</i> , of this EIR, the Project would comply with Manteca Municipal Code Chapter 13.28 – Storm Water Management Discharges which aims to reduce pollutants in stormwater discharges to the maximum extent possible. Additionally, the Project would not result in flooding on- or off-site or impede/redirect flood flows. Last, the Project would not create or contribute to increased flooding risks due to insufficient capacity of existing or planned stormwater drainage systems or and would not provide substantial additional sources of polluted runoff. |
| <i>Goal CF-11 Increase recycling service while maintaining adequate solid waste service for all users.</i> | |



| General Plan Policy | Consistency |
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| <p>Policy CF-11.2 Ensure adequate solid waste collection infrastructure to serve existing and future development and the safe disposal of waste.</p> | <p>No Conflict. As discussed in Section 5.0, <i>Other CEQA Considerations</i>, of this EIR, the Project’s increase in solid waste is well within the landfills remaining permitted capacity and is not anticipated to exceed the existing capacity. In compliance with Assembly Bill (AB) 939, the Project Applicant would be required to implement a Solid Waste Diversion Program and divert at least 50 percent of the solid waste generated by the Project from the Lamb Canyon Landfill. Therefore, the Project would not conflict with CF-11.2.</p> |
| <p>Resource Conservation Element</p> | |
| <p><i>Goal RC-1 Conserve and enhance water resources in local waterways, wetlands, and aquatic habitat, protecting water quality and minimizing the consumption of water through use of careful and empirically-backed planning.</i></p> | |
| <p>Policy RC-1.8 Minimize pollution of water resources, including the San Joaquin River, other waterways, and the groundwater basin, from urban runoff, soil erosion, and sedimentation</p> | <p>No Conflict. As discussed in Section 4.8, <i>Hydrology and Water Quality</i>, of this EIR, Project-related construction and operational activities would be required to comply with the Santa Joaquin River Basin Water Quality Control Plan by preparing and adhering to a Project-specific SWPPP and SWQMP and by installing and maintaining BMPs. As stated, implementation of the Project would not conflict with or obstruct the San Joaquin River Basin Water Quality Control Plan and no impacts would occur.</p> |
| <p><i>Goal RC-3 Preserve and maintain Manteca’s soils to avoid the pollution of surface waters, decreased air quality, and erosion.</i></p> | |
| <p>Policy RC-3.1 Encourage best practices to enhance soil quality and to minimize soil erosion and loss of topsoil from land development activities, wind, and water flow.</p> | <p>No Conflict. As discussed in Section 4.5, <i>Geology and Soils</i>, of this EIR, the Project Applicant would be required to obtain coverage under the State’s General Construction Storm Water Permit for construction activities (NPDES permit). Compliance with the NPDES permit and the San Joaquin River Basin Water Quality Control Plan involves the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) for construction-related activities. The SWPPP will specify the Best Management Practices (BMPs) that the Project Applicant will be required to implement during construction activities to ensure that waterborne pollution – including erosion/sedimentation – is prevented, minimized, and/or otherwise appropriately treated prior to surface runoff being discharged from the subject property. Mandatory compliance with the SWPPP and the erosion control and dust control measures would reduce, prevent, or minimize soil erosion from Project-related construction activities. Moreover, adherence to the requirements noted in the Project’s required WQMP (<i>Technical Appendix I</i> of this EIR) would ensure that the Project’s potential erosion impacts during operation would be less</p> |



| General Plan Policy | Consistency |
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| | than significant. Therefore, the Project would not conflict with Policy RC-3.1. |
| <i>Goal RC-4 Improve climate resiliency through reducing greenhouse gas emissions through sustainable energy, transportation, land use, and local government actions that maximize energy efficiency and reduce energy usage and greenhouse gas emissions.</i> | |
| Policy RC-4.5 Require private development to incorporate non-traditional nonpolluting renewable energy sources such as co-generation, wind, and solar, where feasible, to reduce dependence on fossil fuels and meet climate goals. | No Conflict. The Project building would be designed and built to meet the standard for LEED Silver Certification, or above, which incorporates energy efficiency features. Additionally, solar would be installed at the Project building. Therefore, the Project would not conflict with Policy RC-4.5. |
| Policy RC-4.6 Require all new public and privately constructed buildings to exceed, where feasible, and comply with construction and design standards that promote energy conservation, including the most current “green” development standards in the California Green Building Standards Code. | No Conflict. As discussed in Section 4.4. <i>Energy</i> , of this EIR, the Project would be required to comply with the latest California Green Building Standards Code. Additionally, the Project building would be constructed to achieve LEED silver certification. Therefore, the Project would not conflict with Policy RC-4.6. |
| Policy RC-4.7 Require expanded innovative and green building best practices, where feasible, including, but not limited to, LEED certification for all new development and retrofitting existing uses, and encourage public and private projects to exceed the most current “green” development standards in the California Green Building Standards Code. | No Conflict. As discussed in Section 3.0, <i>Project Description</i> , of this EIR, the Project building would be designed, constructed, operated, and/or maintained in accordance with LEED standards. The Project building would be designed and built to meet the standard for LEED Silver Certification, or above. Therefore, the Project would not conflict with Policy RC-4.7. |
| <i>Goal RC-5 Protect the health and welfare of city residents and visitors by promoting development and planning practices that are compatible with federal, state, and local air quality standards and regulations and implement regional efforts to improve air quality.</i> | |
| Policy RC-5.2 Minimize exposure of the public to toxic or harmful air emissions and odors through requiring an adequate buffer or distance between residential and other sensitive land uses and land uses that typically generate air pollutants, toxic air contaminants, or obnoxious fumes or odors, including but not limited to industrial, manufacturing, and processing facilities, highways, and rail lines and, where uses or facilities pose substantial health risks, ensure that a Health Risk Assessment is conducted to identify and mitigate exposure to toxic air contaminants. | No Conflict. A Health Risk Assessment was conducted for the Project and included as <i>Technical Appendix B2</i> of this EIR. As discussed in Section 4.1, <i>Air Quality</i> , of this EIR, TAC emissions generated as a result of Project construction activities would not exceed SJVAPCD cancer or non-cancer health risk thresholds. Additionally, with the implementation of Mitigation Measure MM 4.1-1, the Project’s operational TAC emissions would not exceed SJVAPCD cancer risk significance thresholds; thus, the Project’s operational TAC emissions would result in a less than significant health risk impact with mitigation incorporated. The Project would also be required to comply with SJVAPCD Rule 4102 to prevent occurrences of public nuisances such as dust, smoke, excess emissions, etc and SJVAPD Rule 8011, Rule 8021, Rule 8041, Rule 8051 to limit fugitive dust. Therefore, the Project would not conflict with Policy RC-5.2. |
| Policy RC-5.3 Require construction and operation of new development to be managed to minimize fugitive dust and air pollutant emissions. | |
| <i>Goal RC-8 Protect sensitive native vegetation and wildlife communities and habitat in Manteca.</i> | |
| Policy RC-8.1 Protect sensitive habitats that include creek corridors, wetlands, vernal pools, riparian areas, | No Conflict. As discussed in Section 4.2, <i>Biological Resources</i> , of this EIR, there are no surface waters, |



| General Plan Policy | Consistency |
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| wildlife and fish migration corridors, native plant nursery sites, waters of the United States, sensitive natural communities, and other habitats designated by State and Federal agencies. | drainages, water conveyance features, sensitive natural communities, wetlands, riparian or riverine habitats that occur within the Project site. Therefore, the Project would not conflict with Policy RC-8.1. |
| <i>Goal RC-10 Preserve and enhance Manteca’s archaeological and historic resources for their aesthetic, educational and cultural values; and respect Manteca’s Native American heritage.</i> | |
| Policy RC-10.4 Require that the proponent of any development proposal in an area with potential archaeological resources, and specifically near the San Joaquin River and Walthall Slough, and on the east side of State Highway 99 at the Louise Avenue crossing, shall consult with the California Archaeological Inventory, Stanislaus State University to determine the potential for discovery of cultural resources, conduct a site evaluation as may be indicated, and mitigate any adverse impacts according to the recommendation of a qualified archaeologist. The survey and mitigation shall be developer funded. | No Conflict. As discussed in Section 4.3, <i>Cultural Resources</i> , of this EIR, as part of the Cultural Resources Assessment Report for the Project, a record search was conducted through the Central California Information Center (CCAIC) of the California Historic Resources Information System (CHRIS) at California State University, Stanislaus to identify any previously recorded cultural resources within the Project area and surrounding 0.25-mile search radius. Additionally, an intensive archeological pedestrian survey at the Project site. Implementation of Mitigation Measures MM 4.3-1 and MM 4.3-2 would ensure the Project’s potential impacts to cultural resources reduce a less than significant level. Therefore, the Project would not conflict with Policy RC-10.4. |
| Policy RC-10.10 Ensure that human remains are treated with sensitivity and dignity, and ensure compliance with the provisions of California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097.98. | No Conflict. As discussed in Section 4.3, <i>Cultural Resources</i> , of this EIR, the Project site does not contain a cemetery and no known formal cemeteries are located within the immediate site vicinity. If human remains are unearthed during Project ground disturbance activities, the contractor would be required by law to comply with California Health and Safety Code Section 7050.5 “Disturbance of Human Remains” and California Public Resources Code Section 5097.98. With mandatory compliance to California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98, any potential impacts to human remains, including human remains of Native American ancestry, that may result from development of the Project would be less than significant. Therefore, the Project would not conflict with Policy RC-10.10. |
| Policy RC-10.11 Consistent with State, local, and tribal intergovernmental consultation requirements such as SB 18, consult as necessary with Native American tribes that may be interested in proposed new development and land use policy changes. | No Conflict. As discussed in Section 4.12, <i>Tribal Cultural Resources</i> , of this EIR, tribal consultation was conducted on February 11, 2021 and no responses were received from the tribes. Therefore, the Project would not conflict with Policy RC-10.11. |
| Safety Element | |
| <i>Goal S-2 Prevent loss of lives, injury, and property damage due to geological hazards and seismic activity and prevent disruption of essential services in the event of an earthquake.</i> | |
| Policy S-2.3 Require new development to mitigate the potential impacts of geologic and seismic hazards, | No Conflict. As discussed in Section 4.5, <i>Geology and Soils</i> , of this EIR, the risk of liquefaction is low to moderate based on the results and the relative thickness |



| General Plan Policy | Consistency |
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| including uncompacted fill, liquefaction, and subsidence, through the development review process. | of non-liquefiable surface soils and potentially liquefiable soil. Additionally, drainage sufficient to create subsidence is uncommon within the City of Manteca and soils encountered onsite was non-expansive, Project-related structures would be required to be designed and constructed in compliance with the California Building Code (CBC) and the recommendations of the Geotechnical Report. Therefore, implementation of the Project would not have the potential to directly or indirectly expose people or structures to substantial hazards associated with seismic-related ground failure, liquefaction, or subsidence hazards. The Project would not conflict with Policy S-2.3. |
| Policy S-2.4 Continue to require professional inspection of foundation, excavation, earthwork, and other geotechnical aspects of site development during construction on those sites specified in geotechnical studies as being prone to moderate or greater levels of seismic or geologic hazard. | No Conflict. As discussed in Section 4.5, <i>Geology and Soils</i> , of this EIR, the Project site like all areas in California is prone to periodic ground shaking and other effects from earthquake activity along nearby regional faults. Project-related structures and buildings would be required to be designed and constructed in compliance with the CBC (California Code of Regulations, Title 24, Part 2), which contains provisions for earthquake safety based on factors including occupancy type, the types of soil and rock onsite, and the probable strength of ground motion. Therefore, the Project would no conflict with Policy S-2.4. |
| <i>Goal S-3 Protect life and property from flood events through providing a planning framework for flood protection and risk management consistent with Federal and State law and pursuing flood control solutions that minimize environmental impacts.</i> | |
| Policy S-3.3 Require evaluation of potential flood hazards prior to approval of development projects to determine whether the proposed development is reasonably safe from flooding and consistent with California Department of Water Resources Urban Level of Flood Protection Criteria (ULOP). The City shall not approve the execution of a development agreement, a tentative map, or a parcel map for which a tentative map is not required, or a discretionary permit or other discretionary entitlement that would result in the construction of a new building, or construction that would result in an increase in allowed occupancy for an existing building, or issuance of a ministerial permit that would result in the construction of a new residence for property that is located within a 200-year flood hazard zone, unless the adequacy of flood protection as described in Government Code §65865.5(a), 65962(a), or 66474.5(a), has been demonstrated. | No Conflict. As discussed in Section 4.8, <i>Hydrology and Water Quality</i> , of this EIR, according to FEMA, the Project site is located in FIRM No. 06077C0640F. The site is designated within “Zone X (unshaded),” which are areas with a 0.2% chance of annual flood. The Zone X (unshaded) designation is considered to be an area of minimal flood hazard and is not considered a special flood hazard area. The Project site is not expected to be inundated by flood flows during the lifetime of the Project and the Project would not impede flood flows. Therefore, the Project would not conflict with Policy S-3.3. |



| General Plan Policy | Consistency |
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| <p>Policy S-3.20 Require all development projects to demonstrate how storm water runoff will be detained or retained on-site, treated, and/or conveyed to the nearest drainage facility as part of the development review process. Project applicants shall demonstrate that project implementation would not result in increases in the peak flow runoff to adjacent lands or drainage facilities that would exceed the design capacity of the drainage facility or result in an increased potential for offsite flooding</p> | <p>No Conflict. As discussed in Section 4.8, <i>Hydrology and Water Quality</i>, of this EIR, the Project’s storm drain system would be sized and designed in accordance with the Multi-Agency Post-Construction Stormwater Standards Manual (Stormwater Standards Manual), to ensure that off-site flows that are conveyed through the Project site at a volume and rate that can be accommodated by existing and planned downstream storm drain facilities. Therefore, the Project would not conflict with Policy S-3.20.</p> |
| <p><i>Goal S-4 Protect the health, safety, natural resources, and property of the community through regulation of use, storage, transport, and disposal of hazardous materials.</i></p> | |
| <p>Policy S-4.3 As part of the development review process, consider the potential for the production, use, storage, transport, and/or disposal of hazardous materials and provide for appropriate controls on such hazardous materials consistent with federal, state, and local standards.</p> | <p>No Conflict. As discussed in Section 4.7, <i>Hazards and Hazardous Materials</i>, of this EIR, implementation of Mitigation Measure MM 4.7-1 would ensure preparation of an SMP addendum and compliance, which would reduce the Project’s potential impacts related to exposure resulting from routine transport, use, or disposal of contaminated or potentially contaminated soils to a less than significant level. Therefore, the Project would not conflict with Policy S-4.3.</p> |
| <p><i>Goal S-6 Protect the quality of life by protecting the community from harmful and excessive noise.</i></p> | |
| <p>Policy S-6.5 Require new stationary noise sources proposed adjacent to noise sensitive uses to incorporate noise-attenuating measures so as to not exceed the noise level performance standards in Table S-2, or a substantial increase in noise levels established through a detailed ambient noise survey</p> | <p>No Conflict. As discussed in Section 4.10, <i>Noise</i>, of this EIR, as part of the Mitigation Measure MM 4.10-3, a minimum 14-foot-high noise barrier would be installed for the loading dock area during operation to ensure operational noise levels would be less than significant. Therefore, the Project would not conflict with Policy S-6.5.</p> |
| <p>Policy S-6.6 Regulate construction-related noise to reduce impacts on adjacent uses to the criteria identified in Table S-2 or, if the criteria in Table S2 cannot be met, to the maximum level feasible using best management practices and complying with the MMC Chapter 9.52.</p> | <p>No Conflict. As discussed in Section 4.10, <i>Noise</i>, of this EIR, A temporary noise level increase of 12 dBA is considered a potentially significant impact based on the Caltrans substantial noise level increase criteria consistent with City of Manteca General Plan Implementation Policy S.6d which is used to assess the Project-construction noise level increases. Additionally, a construction-related daytime noise level threshold of 80 dBA Leq is also used to assess the daytime construction noise level impacts based on the FTA’s Transit Noise and Vibration Impact Assessment Manual. With the required 12-foot-high temporary noise barrier and the construction noise mitigation measures (Mitigation Measures MM 4.10-1 to MM 4.10-2), the Project will not exceed the daytime noise level threshold of 80 dBA or the temporary noise level increase of 12 dBA during the daytime hours at the closest receiver locations. Therefore, the Project would not conflict with Policy S-6.6.</p> |



| General Plan Policy | Consistency |
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| <p>Policy S-6.8 Apply noise level criteria applied to land uses other than residential or other noise-sensitive uses consistent with noise performance levels of Table S-1 and Table S-2.</p> | <p>No Conflict. As discussed in Section 4.10, <i>Noise</i>, of this EIR, operational noise levels are evaluated against exterior noise level thresholds based on the more restrictive exterior noise level standards outlined in the City of Manteca General Plan Policy Implementation Measure S-6c at nearby receiver locations. Implementation of Mitigation Measure MM 4.10-3 would reduce operational noise levels to less than significant levels. Therefore, the Project would not conflict with Policy S-6.8.</p> |

2. SJCOG's 2022 RTP/SCS

SJCOG's 2022 RTP/SCS is the SJCOG planning document that applies to the Project. As shown in Table 4.9-3, *SJCOG 2022 RTP/SCS Consistency Analysis*, the Project would not conflict with SJCOG's 2022 RTP/SCS policies and supportive strategies. Accordingly, the Project would have a less than significant impact.

Table 4.9-3 SJCOG 2022 RTP/SCS Consistency Analysis

| Policies and Supportive Strategies | Consistency |
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| <i>Policy: Enhance the Environment for Existing and Future Generations and Conserve Energy</i> | |
| <p>Strategy No. 1: Encourage efficient development patterns that maintain agricultural viability and natural resources.</p> | <p>No Conflict. The site is not located within an area intended for conservation of natural or agricultural lands. Implementation of the Project would not interfere with City's ability to promote the conservation of natural and agricultural lands and the restoration of habitats. Additionally, the Project site does not include any land designated for agricultural uses.</p> |
| <p>Strategy No. 2: Encourage preservation of natural resources.</p> | <p>No Conflict. As discussed in Section 4.2, <i>Biological Resources</i>, of this EIR, there are no surface waters, drainages, water conveyance features, sensitive natural communities, wetlands, riparian or riverine habitats that occur within the Project site. Therefore, the Project would not conflict with Strategy No. 2.</p> |
| <p>Strategy No. 3: Enhance the connection between land use and transportation choices through projects supporting energy and water efficiency.</p> | <p>No Conflict. As discussed in Section 4.4, <i>Energy</i>, the Project would be designed and constructed in accordance with the County's latest adopted energy efficiency standards, which are based on the California Title 24 energy efficiency standards. Title 24 standards include a broad set of energy conservation requirements that apply to the structural, mechanical, electrical, and plumbing systems in a building. The Project building would also be designed and built to meet the standard for LEED Silver Certification, or above. Additionally, the Project proposes an industrial building within close proximity to the State's highway system such as State</p> |



| Policies and Supportive Strategies | Consistency |
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| | Route (SR) 120 and Highway 99. Therefore, the Project would not conflict with Strategy No. 3. |
| Strategy No. 4: Improve air quality by reducing transportation-related emissions. | No Conflict. As discussed in Section 4.1 <i>Air Quality</i> , of this EIR, TAC emissions generated as a result of Project construction activities would not exceed SJVAPCD cancer or non-cancer health risk thresholds. Additionally, with the implementation of Mitigation Measure MM 4.1-1, the Project’s operational TAC emissions would not exceed SJVAPCD cancer risk significance thresholds; thus, the Project’s operational TAC emissions would result in a less than significant health risk impact with mitigation incorporated. Therefore, the Project would not conflict with Strategy No. 4. |
| <i>Policy: Maximize Mobility and Accessibility</i> | |
| Strategy No. 5: Optimize the public transportation system to provide efficient and convenient access for users of all income levels. | Not Applicable. This is not a project-specific goal but would be implemented by cities and the counties within the SJCOG region as part of comprehensive local and regional planning efforts. |
| Strategy No. 6: Encourage infill development and development near transit, including transit-oriented development to maximize existing transit investments. | No Conflict. The Project site is served by Manteca Transit. The closest bus stop to the Project site is located at the intersection of Spreckels Avenue and Norman Avenue for Route 1, approximately 791 feet north of the Project site. Additionally, there is an existing Class 1 bike path along Spreckels Avenue. As such, the Project would encourage development near existing transit systems. Therefore, the Project would not conflict with Strategy No. 6. |
| Strategy No. 7: Provide transportation improvements to facilitate nonmotorized travel, including incorporation of complete streets elements as appropriate. | No Conflict. As discussed in Section 4.11, <i>Transportation</i> , of this EIR, there is an existing sidewalk and bike path along Spreckels Avenue. This sidewalk and bike path will be maintained as part of the Project. Additionally, as discussed in Section 3.0, <i>Project Description</i> , of this EIR, the Project would also install 12 short-term and 12 long-term bike parking spaces near the office areas. Proposed roadway improvements along the Project site frontage would occur within the public rights-of-way and would be installed in conformance with the City’s design standards. Therefore, the Project would not conflict with Strategy No. 6. |
| Strategy No. 8: Improve freight access to key strategic economic centers. Strategy No. 9: Promote safe and efficient strategies to improve the movement of goods by air, water, rail, and roadway. | No Conflict. As discussed previously, the Project proposes to develop a modern Class “A” industrial building in the City of Manteca in close proximity to the State highway system such as SR-120 and Highway 99, and is situated astride the regional transportation network. Additionally, the Project site is surrounded by commercial and industrial uses to the west, north, and south. The Project site is located approximately 6.8 |



| Policies and Supportive Strategies | Consistency |
|---|--|
| | miles southeast of Stockton Metropolitan Airport. Due to the Project site's proximity to State highway systems, development of the site with the Project would efficiently facilitate the movement of goods. Therefore, the Project would not conflict with Strategy Nos. 8 and 9. |
| Strategy No. 10: Facilitate projects that reduce the number and severity of traffic incidents. | No Conflict. As discussed in Section 4.11, <i>Transportation</i> , of this EIR, the Project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use. |
| Strategy No. 11: Support local and state efforts for transportation network resiliency, reliability, and climate adaptation. | No Conflict. See Strategy No. 7 above. Therefore, the Project would not conflict with Strategy No. 11. |
| <i>Policy: Preserve the Efficiency of the Existing Transportation System</i> | |
| Strategy No. 12: Prioritize projects that make more efficient use of the existing road network. | Not Applicable. This is not a project-specific goal but would be implemented by cities and the counties within the SJCOG region as part of comprehensive local and regional planning efforts. |
| Strategy No. 13: Support the continued maintenance and preservation of the existing transportation system. | No Conflict. See Strategy No. 7 above. Therefore, the Project would not conflict with Strategy No. 13. |
| Strategy No. 14: Promote electric power, alternative fuels and autonomous technologies for freight and agriculture. | No Conflict. As shown in Figure 3-4, <i>Proposed Site Plan</i> , 79 parking stalls would be designed as electric vehicle capable. Moreover, warehouses, such as that proposed with the Project, are increasingly integrating automation to improve operational efficiencies in response to the surge in direct-to-consumer e-commerce. Additionally, continued developments and demonstrations of automated truck technologies will alter the goods movement environment with far-reaching impacts ranging from employment to highway safety. Therefore, the Project would not conflict with Strategy Nos. 14 and 15. |
| Strategy No. 15: Manage the adoption of electric vehicles and private connected and autonomous vehicles. | |
| Strategy No. 16: Promote electric power, alternative fuels, and autonomous technologies for public transit | Not Applicable. This is not a project-specific goal but would be implemented by cities and the counties within the SJCOG region as part of comprehensive local and regional planning efforts. |
| <i>Policy: Support Economic Vitality</i> | |
| Strategy No. 17: Support transportation improvements that improve economic competitiveness, revitalize commercial corridors and strategic economic centers, and enhance travel and tourism opportunities. | No Conflict. The Project would assist the City to meet its economic goal for fiscal strength and stability through business investment and employment generation. Therefore, the Project would not conflict with Strategy No. 17. |
| Strategy No. 18: Support workforce training across industries, particularly transportation-related industries. | Not Applicable. This is not a project-specific goal but would be implemented by cities and the counties within the SJCOG region as part of comprehensive local and regional planning efforts. |



| Policies and Supportive Strategies | Consistency |
|--|--|
| Strategy No. 19: Encourage and/or strengthen small business while supporting large employer recruitment | Not Applicable. This is not a project-specific goal but would be implemented by cities and the counties within the SJCOG region as part of comprehensive local and regional planning efforts. |
| Strategy No. 20: Invest in high-speed internet infrastructure to support e-business and reduce commuting. | Not Applicable. This is not a project-specific goal but would be implemented by cities and the counties within the SJCOG region as part of comprehensive local and regional planning efforts. |
| Policy: Promote Interagency Coordination and Public Planning Efforts | Participation for Transportation Decision-Making and |
| Strategy No. 21: Provide equitable access to transportation planning. | Not Applicable. This is not a project-specific goal but would be implemented by cities and the counties within the SJCOG region as part of comprehensive local and regional planning efforts. |
| Strategy No. 22: Engage the public early, clearly, and continuously. | Not Applicable. This is not a project-specific goal but would be implemented by cities and the counties within the SJCOG region as part of comprehensive local and regional planning efforts. |
| Strategy No. 23: Use a variety of methods to engage the public and encourage representation from diverse income and ethnic backgrounds. | Not Applicable. This is not a project-specific goal but would be implemented by cities and the counties within the SJCOG region as part of comprehensive local and regional planning efforts. |
| Strategy No. 24: Support efforts to streamline the development process. | Not Applicable. This is not a project-specific goal but would be implemented by cities and the counties within the SJCOG region as part of comprehensive local and regional planning efforts. |
| Strategy No. 25: Support the use of state and federal grants to supplement local funding and pursue discretionary grant funding opportunities from outside the region. | Not Applicable. This is not a project-specific goal but would be implemented by cities and the counties within the SJCOG region as part of comprehensive local and regional planning efforts. |
| Strategy No. 26: Support projects that maximize cost-effectiveness. | Not Applicable. This is not a project-specific goal but would be implemented by cities and the counties within the SJCOG region as part of comprehensive local and regional planning efforts. |
| Strategy No. 27: Maximize funding of existing transportation options. | Not Applicable. This is not a project-specific goal but would be implemented by cities and the counties within the SJCOG region as part of comprehensive local and regional planning efforts. |
| <i>Policy: Improve the Quality of Life for Residents</i> | |
| Strategy No. 28: Promote a broader range of housing types. | Not Applicable. The Project consists of industrial development and does not propose housing, consistent with the City’s General Plan. Implementation of the Project would not interfere with the City’s or County’s ability to encourage the development of a broader range of housing types or a regional trust fund dedicated to addressing housing issues. |
| Strategy No. 29: Support the development a regional trust fund dedicated to addressing housing issues. | |
| Strategy No. 30: Enhance public health through active transportation projects. | Not Applicable. This is not a project-specific goal but would be implemented by cities and the counties within |



| Policies and Supportive Strategies | Consistency |
|------------------------------------|--|
| | the SJCOG region as part of comprehensive local and regional planning efforts. |

4.9.7 CUMULATIVE IMPACT ANALYSIS

This Project, in conjunction with other cumulative related projects would not physically divide an established community. As discussed under Threshold a, the Project would not physically divide an established community because the Project site is surrounded by roadways and existing industrial development. Therefore, the Project would have a less than cumulatively considerable impact with respect to a physical division of an established community.

The Project, in conjunction with other cumulative development in accordance with the City’s General Plan, would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. As discussed under Threshold b, the Project is consistent with SJCOG’s 2022 RTP/SCS, the City’s land use and zoning designations for the Project site and would not conflict with any aspects of the City’s General Plan or any other applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating adverse environmental effects. Cumulative development would also be subject to site-specific environmental and planning reviews to ensure consistency with applicable regional and local plans reviewed in this section. Therefore, cumulatively considerable impacts from cumulative projects related to policy consistency would be less than significant.

4.9.8 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold a: Less-than-Significant Impact. The Project would not physically divide an established community.

Threshold b: Less-than-Significant Impact. The Project would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

4.9.9 MITIGATION

No mitigation is required.

4.9.10 SIGNIFICANCE OF IMPACTS AFTER MITIGATION

Impacts would be less than significant; therefore, mitigation is not required.



4.10 NOISE

This subsection addresses the environmental topic of noise, including existing noise levels in the Project area and the Project’s potential to introduce new or elevated sources of noise. The analysis contained herein incorporates information contained in a technical report prepared by Urban Crossroads titled, “Spreckels Distribution Center Noise and Vibration Analysis”, and dated February 20, 2025. The report is included as *Technical Appendix J* to this EIR (Urban Crossroads, 2025e). Refer to Section 7.0, *References*, for a complete list of reference sources used in the analysis presented in this subsection.

4.10.1 NOP/SCOPING MEETING COMMENTS

A Notice of Preparation (NOP) for the Project was released for public review on December 6, 2024, and an EIR Scoping meeting was held on December 12, 2024. No comments were made during the EIR Scoping Meeting that pertain to noise. Additionally, no comments related to noise were received during the public scoping period.

4.10.2 ACOUSTICAL FUNDAMENTALS

A. Noise Definitions

Noise is simply defined as “unwanted sound.” Sound becomes unwanted when it interferes with normal activities, when it causes actual physical harm or when it has adverse effects on health. Noise is measured on a logarithmic scale of sound pressure level known as a decibel (dB). A-weighted decibels (dBA) approximate the subjective response of the human ear to broad frequency noise source by discriminating against very low and very high frequencies of the audible spectrum. They are adjusted to reflect only those frequencies which are audible to the human ear. The most common sounds vary between 40 dBA (very quiet) to 100 dBA (very loud). Normal conversation at three feet is roughly at 60 dBA, while loud jet engine noises equate to 110 dBA at approximately 100 feet, which can cause serious discomfort. Another important aspect of noise is the duration of the sound and the way it is described and distributed in time.

B. Noise Descriptors

Environmental noise descriptors are generally based on averages, rather than instantaneous, noise levels. The most commonly used figure is the equivalent level (L_{eq}). Equivalent sound levels are not measured directly but are calculated from sound pressure levels typically measured in dBA. The L_{eq} represents a steady state sound level containing the same total energy as a time varying signal over a given sample period and is commonly used to describe the “average” noise levels within the environment.

Peak hour or average noise levels, while useful, do not completely describe a given noise environment. Noise levels lower than peak hour may be disturbing if they occur during times when quiet is most desirable, namely evening and nighttime (sleeping) hours. To account for this, the Community Noise Equivalent Level (CNEL), representing a composite 24-hour noise level is utilized. The CNEL is the



weighted average of the intensity of a sound, with corrections for time of day, and averaged over 24 hours. The time-of-day corrections require the addition of 5 decibels to dBA L_{eq} sound levels in the evening from 7:00 p.m. to 10:00 p.m., and the addition of 10 decibels to dBA L_{eq} sound levels at night between 10:00 p.m. and 7:00 a.m. These additions are made to account for the noise sensitive time periods during the evening and night hours when sound appears louder. CNEL does not represent the actual sound level heard at any time but rather represents the total sound exposure. The City of Manteca relies on the 24-hour CNEL level to assess land use compatibility with transportation related noise sources.

C. Sound Propagation

When sound propagates over a distance, it changes in level and frequency content. The manner in which noise reduces with distance depends on geometric spreading, ground absorption, atmospheric effects, and shielding.

1. Geometric Spreading

Sound from a localized source (i.e., a stationary point source) propagates uniformly outward in a spherical pattern. The sound level attenuates (or decreases) at a rate of 6 dB for each doubling of distance from a point source. Highways consist of several localized noise sources on a defined path and hence can be treated as a line source, which approximates the effect of several point sources. Noise from a line source propagates outward in a cylindrical pattern, often referred to as cylindrical spreading. Sound levels attenuate at a rate of 3 dB for each doubling of distance from a line source.

2. Ground Absorption

The propagation path of noise from a highway to a receptor is usually very close to the ground. Noise attenuation from ground absorption and reflective wave canceling adds to the attenuation associated with geometric spreading. Traditionally, the excess attenuation has also been expressed in terms of attenuation per doubling of distance. This approximation is usually sufficiently accurate for distances of less than 200 ft. For acoustically hard sites (i.e., sites with a reflective surface between the source and the receptor, such as a parking lot or body of water), no excess ground attenuation is assumed. For acoustically absorptive or soft sites (i.e., those sites with an absorptive ground surface between the source and the receptor such as soft dirt, grass, or scattered bushes and trees), an excess ground attenuation value of 1.5 dB per doubling of distance is normally assumed. When added to the cylindrical spreading, the excess ground attenuation results in an overall drop-off rate of 4.5 dB per doubling of distance from a line source.

3. Atmospheric Effects

Receptors located downwind from a source can be exposed to increased noise levels relative to calm conditions, whereas locations upwind can have lowered noise levels. Sound levels can be increased at large distances (e.g., more than 500 feet) due to atmospheric temperature inversion (i.e., increasing temperature with elevation). Other factors such as air temperature, humidity, and turbulence can also have significant effects.



4. *Shielding*

A large object or barrier in the path between a noise source and a receptor can substantially attenuate noise levels at the receptor. The amount of attenuation provided by shielding depends on the size of the object and the frequency content of the noise source. Shielding by trees and other such vegetation typically only has an “out of sight, out of mind” effect. That is, the perception of noise impact tends to decrease when vegetation blocks the line-of-sight to nearby resident. However, for vegetation to provide a substantial, or even noticeable, noise reduction, the vegetation area must be at least 15 feet in height, 100 feet wide and dense enough to completely obstruct the line-of sight between the source and the receiver. This size of vegetation may provide up to 5 dBA of noise reduction. The Federal Highway Administration (FHWA) does not consider the planting of vegetation to be a noise abatement measure.

D. Land Use Compatibility with Noise

Some land uses are more tolerant of noise than others. For example, schools, hospitals, churches, and residences are more sensitive to noise intrusion than commercial or industrial developments and related activities. As ambient noise levels affect the perceived amenity or livability of a development, so too can the mismanagement of noise impacts impair the economic health and growth potential of a community by reducing the area’s desirability as a place to live, shop and work. For this reason, land use compatibility with the noise environment is an important consideration in the planning and design process. The FHWA encourages State and local government to regulate land development in such a way that noise-sensitive land uses are either prohibited from being located adjacent to a highway, or that the developments are planned, designed, and constructed in such a way that noise impacts are minimized.

E. Vibration

Vibration is the periodic oscillation of a medium or object. The rumbling sound caused by the vibration of room surfaces is called structure-borne noise. Sources of groundborne vibrations include natural phenomena (e.g., earthquakes, volcanic eruptions, sea waves, landslides) or human-made causes (e.g., explosions, machinery, traffic, trains, construction equipment). Vibration sources may be continuous, such as factory machinery, or transient, such as explosions. As is the case with airborne sound, ground-borne vibrations may be described by amplitude and frequency.

The background vibration-velocity level in residential areas is generally 50 vibration decibels (VdB). Ground-borne vibration is normally perceptible to humans at approximately 65 VdB. For most people, a vibration-velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels. Typical outdoor sources of perceptible ground-borne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If a roadway is smooth, the ground-borne vibration is rarely perceptible. The range of interest is from approximately 50 VdB, which is the typical background vibration-velocity level, to 100 VdB, which is the general threshold where minor damage can occur in fragile buildings.



4.10.3 EXISTING CONDITIONS

A. *Existing Study Area Ambient Noise Conditions*

Urban Crossroads recorded 24-hour noise readings at five (5) locations in the Project area on May 7, 2024. The noise measurement locations are identified in Figure 4.10-1, *Ambient Noise Measurement Locations*. The results of the existing noise level measurements are summarized below. Noise measurement worksheets for the hourly noise levels and the minimum and maximum observed noise levels at each measurement location are provided in the Noise and Vibration Analysis (*Technical Appendix J* of this EIR).

- Location L1, represents the noise levels located north of the site near the residence at 1098 Norman Drive. The noise level measurements collected show an average daytime noise level calculated to be 53.4 dBA L_{eq} and an average nighttime noise level calculated to be 51.6 dBA L_{eq} at location L1.
- Location L2 represents the noise levels located north of the site near the commercial retail center at 1148 Norman Drive. The noise level measurements collected show an average daytime noise level calculated to be 50.8 dBA L_{eq} and an average nighttime noise level calculated to be 49.4 dBA L_{eq} at location L2.
- Location L3 represents the noise levels located west of the site near the residence at 1002 Trinity Street. The noise level measurements collected show an average daytime noise level calculated to be 48.7 dBA L_{eq} and an average nighttime noise level calculated to be 48.6 dBA L_{eq} at location L3.
- Location L4 represents the noise levels located west of the site near the residence at 332 Cowell Avenue. The noise level measurements collected show an average daytime noise level calculated to be 54.6 dBA L_{eq} and an average nighttime noise level calculated to be 52.6 dBA L_{eq} at location L4.
- Location L5 represents the noise levels located northwest of the site near the residence at 320 Cowell Avenue. The noise level measurements collected show an average daytime noise level calculated to be 54.8 dBA L_{eq} and an average nighttime noise level calculated to be 51.7 dBA L_{eq} .



Source(s): Urban Crossroads (10-30-2024)

Figure 4.10-1



Lead Agency: City of Manteca

Ambient Noise Measurement Locations

SCH No. 2021050017

B. Existing Groundborne Vibration

Based on the nature of the existing uses on the Project site, there are no sources of groundborne vibration on the Project site under existing conditions because no heavy impact machinery is used on the site.

C. Existing Off-Site Traffic Noise Levels

Table 4.10-1, *Existing Conditions Roadway Noise Levels*, presents the Existing Conditions CNEL noise levels along 14 roadway segments, which range from 73.1 to 75.2 dBA CNEL, without accounting for any noise attenuation features such as noise barriers or topography, which over predicts the noise levels and provides a conservative analysis. Accounting for noise attenuation features would result in lower noise levels compared to those reported below.

Table 4.10-1 Existing Conditions Roadway Noise Levels

| ID | Road | Segment | Receiving Land Use ¹ | CNEL at Receiving Land Use (dBA) ² |
|----|----------------|--------------------|---------------------------------|---|
| 1 | Cottage Ave | n/o Yosemite Ave. | Sensitive | 73.1 |
| 2 | Spreckels Ave. | s/o Yosemite Ave. | Non-Sensitive | 74.7 |
| 3 | Spreckels Ave. | n/o Phoenix Dr. | Non-Sensitive | 74.2 |
| 4 | Spreckels Ave. | s/o Phoenix Dr. | Non-Sensitive | 75.0 |
| 5 | Spreckels Ave. | n/o Moffat Blvd. | Non-Sensitive | 75.2 |
| 6 | Spreckels Ave. | s/o Moffat Blvd. | Non-Sensitive | 75.1 |
| 7 | Yosemite Ave. | w/o Spreckels Ave. | Sensitive | 73.1 |
| 8 | Yosemite Ave. | e/o Spreckels Ave. | Non-Sensitive | 74.5 |
| 9 | Moffat Blvd. | w/o Spreckels Ave. | Non-Sensitive | 74.7 |
| 10 | Moffat Blvd. | e/o Spreckels Ave. | Non-Sensitive | 74.9 |

¹ Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.

² The CNEL is calculated at the boundary of the right-of-way of the receiving adjacent land use.

4.10.4 REGULATORY FRAMEWORK

A. Federal

1. Noise Control Act of 1972

The Noise Control Act of 1972 establishes a national policy to promote an environment for all Americans free from noise that jeopardizes their health and welfare. The Act also serves to (1) establish a means for effective coordination of Federal research and activities in noise control; (2) authorize the establishment of Federal noise emission standards for products distributed in commerce; and (3) provide information to the public respecting the noise emission and noise reduction characteristics of such products. (EPA, 2024g)



While primary responsibility for control of noise rests with State and local governments, Federal action is essential to deal with major noise sources in commerce, control of which require national uniformity of treatment. The Environmental Protection Agency (EPA) is directed by Congress to coordinate the programs of all Federal agencies relating to noise research and noise control. (EPA, 2024g)

2. *Federal Transit Administration*

The Federal Transit Administration (FTA) has published a Noise and Vibration Impact Assessment (NVIA), which provides guidance for preparing and reviewing the noise and vibration sections of environmental documents. In the interest of promoting quality and uniformity in assessments, the manual is used in performing noise and vibration analyses for inclusion in environmental documents. The manual sets forth the methods, construction standards, and procedures for determining the level of noise and vibration impact resulting from most federally-funded transit projects and for determining mitigation for same, as applicable. (FTA, 2018, p. 1)

According to the FTA, project construction noise criteria should account for the existing noise environment, the absolute noise levels during construction activities, the duration of the construction, and the adjacent land use. The FTA provides guidelines for construction noise assessment. The FTA considers a daytime exterior construction noise level of 80 dBA Leq as a reasonable threshold for noise sensitive residential land use.

3. *Federal Highway Administration*

FHWA is the agency responsible for administering the Federal-aid highway program in accordance with Federal statutes and regulations. The FHWA developed the noise regulations as required by the Federal-Aid Highway Act of 1970 (Public Law 91-605, 84 Stat. 1713). The regulation, 23 CFR 772 Procedures for Abatement of Highway Traffic Noise and Construction Noise, applies to highway construction projects where a State department of transportation has requested Federal funding for participation in the project. The regulation requires the highway agency to investigate traffic noise impacts in areas adjacent to federally-aided highways for proposed construction of a highway on a new location or the reconstruction of an existing highway to either significantly change the horizontal or vertical alignment or increase the number of through-traffic lanes. If the highway agency identifies impacts, it must consider abatement. The highway agency must incorporate all feasible and reasonable noise abatement into the project design. (FHWA, 2022)

The FHWA regulations for mitigation of highway traffic noise in the planning and design of federally aided highways are contained in Title 23 of the United States Code of Federal Regulations Part 772. The regulations require the following during the planning and design of a highway project:

- Identification of traffic noise impacts;
- Examination of potential mitigation measures;



- The incorporation of reasonable and feasible noise mitigation measures into the highway project; and
- Coordination with local officials to provide helpful information on compatible land use planning and control. (FHWA, 2022)

The regulations contain noise abatement criteria, which represent the upper limit of acceptable highway traffic noise for different types of land uses and human activities. The regulations do not require meeting the abatement criteria in every instance. Rather, they require highway agencies make every reasonable and feasible effort to provide noise mitigation when the criteria are approached or exceeded. Compliance with the noise regulations is a prerequisite for the granting of Federal-aid highway funds for construction or reconstruction of a highway. (FHWA, 2022)

4. Construction-Related Hearing Conservation

The Occupational Safety and Health Administration (OSHA) hearing conservation program is designed to protect workers with significant occupational noise exposures from hearing impairment even if they are subject to such noise exposures over their entire working lifetimes. Standard 29 CFR, Part 1910 indicates the noise levels under which a hearing conservation program is required to be provided to workers exposed to high noise levels. (OSHA, 2002)

B. State

1. State of California Noise Requirements

The State of California regulates freeway noise, sets standards for sound transmission, provides occupational noise control criteria, identifies noise standards, and provides guidance for local land use compatibility. State law requires that each county and city adopt a General Plan that addresses noise, typically in a separate Noise Element but in certain jurisdictions combined with other elements, which is to be addressed per guidelines adopted by the Governor’s Office of Planning and Research. The purpose of addressing noise issues in an adopted General Plan is to “limit the exposure of the community to excessive noise levels.” In addition, the CEQA requires that the potential noise impacts of a project be analyzed.

2. California Assembly Bill (AB) 2496

AB 2496 Vehicles: Exhaust Systems requires a court to require a certificate of compliance for a violation of the noise limit requirements mentioned for mufflers or exhaust systems for specified vehicles. The bill requires the court to utilize notification procedures and if a certificate of compliance is not provided to the court within three months of the violation date, the bill requires the court to treat this failure as noncompliance and inform the Department of Motor Vehicles.

This bill would also require stations providing referee functions to provide for the testing of exhaust systems of motor vehicles and the issuance of certificates of compliance for vehicles that have received a citation for installing, operating, or engaging in the business of installing a whistle-tip onto a vehicle’s exhaust system and for motorcycles that have received a citation for the violations mentioned above.

3. *California Senate Bill (SB) 1079*

SB 1079 Vehicles: authorizes local jurisdictions to use sound-activated enforcement devices to capture vehicle noise levels that exceed legal limits. Under California Vehicle Code, exhaust noise is limited to 95 dbA for vehicles and 80 dbA for motorcycles. However, vehicle owners can install new exhaust systems or make other vehicle modifications that change the level of sound produced by their vehicle. These illegal modifications are accessible and easily installed at any in-home garage, resulting in much louder noise disruptions than would be allowed by law.

4. *Caltrans Technical Noise Supplement*

The purpose of the Caltrans Technical Noise Supplement is to provide technical background information on transportation-related noise in general and highway traffic noise in particular. It is designed to elaborate on technical concepts and procedures referred to in the protocol. Under controlled conditions in an acoustics laboratory, the trained healthy human ear is able to discern changes in sound levels of 1 dBA when exposed to steady single-frequency (pure tone) signals in the midfrequency range. Outside such controlled conditions, the trained ear can detect changes of 2 dBA in normal environmental noise. It is widely accepted that the average healthy ear, however, can barely perceive noise level changes of 3 dBA.

5. *Caltrans Transportation and Construction Vibration Guidance Manual*

The Caltrans Transportation and Construction Vibration Guidance manual provides screening tools for assessing the potential for adverse vibration effects related to human perception and structural damage. General information on the potential effects of vibration on vibration-sensitive research and advanced technology facilities is also provided.

6. *Building Standards Code*

The State of California's noise insulation standards are codified in the California Code of Regulations, Title 24, Building Standards Administrative Code, Part 2, and the California Building Standards Code. These noise standards are applied to new construction in California for the purpose of controlling interior noise levels resulting from exterior noise sources. The regulations specify that acoustical studies must be prepared when noise-sensitive structures, such as residential buildings, schools, or hospitals, are developed near major transportation noise sources, and where such noise sources create an exterior noise level of 60 dBA CNEL or higher. Acoustical studies that accompany building plans for noise-sensitive land uses must demonstrate that the structure has been designed to limit interior noise in habitable rooms to acceptable noise levels.

C. Local

1. *City of Manteca Noise Standards*

Table S-1: Maximum Allowable Noise Exposure from Mobile Noise Sources identified in the City of Manteca General Plan Safety Element are guidelines to evaluate the land use compatibility of transportation or mobile noise source activities. The criteria provides the City with a planning tool to



gauge the compatibility of land uses relative to maximum exterior noise levels. Table S-1 identifies a maximum exterior noise level of 60 dBA CNEL for noise sensitive residential land use. The maximum acceptable exterior noise level for the non-noise sensitive Project industrial land use is 75 dBA CNEL.

The City of Manteca Municipal Code (MMC) Table 17.58.050-1 outlines the maximum allowable stationary source noise levels by receiving land use categories. For noise-sensitive residential properties, the MMC identifies a daytime (7:00 a.m. to 10:00 p.m.) exterior noise level limit of 60 dBA L_{eq} and 50 dBA L_{eq} during the nighttime (10:00 p.m. to 7:00 a.m.) hours. The MMC Section 17.100.060 defines the CNEL as the average noise level during a 24-hour period, in decibels, weighted to account for the lower tolerance of people to noise during evening (7:00 p.m. to 10:00 p.m.) and night (10:00 p.m. to 7:00 a.m.) hours relative to daytime hours.

Table S-2 of the recently updated City of Manteca General Plan Safety Element establishes hourly stationary noise source dBA L_{eq} exterior noise level limits. For affected projects potentially impacted by the Project, the General Plan identifies a daytime (7:00 a.m. to 10:00 p.m.) exterior noise level limit of 55 dBA L_{eq} and 45 dBA L_{eq} during the nighttime (10:00 p.m. to 7:00 a.m.) hours. However, this performance standard has not yet been adopted in a revised noise ordinance consistent with General Plan Policy Implementation Measure S-6c. Nevertheless, this analysis relies on the more restrictive exterior noise level standards outlined in General Plan Policy Implementation Measure S-6c, to evaluate potential Project-related operational noise limits for noise sensitive residential land uses, instead of the higher exterior noise level limits outlined in the MMC Table 17.58.050-1. This is consistent with MMC Section 17.58.050[A][2] stating that the purpose of the noise standards is to implement the goals and policies of the General Plan Noise Element.

In addition, Section 17.58.050[E][1] Loading and Unloading Activities limits Loading, unloading, opening, closing, or other handling of boxes, crates, containers, building materials, garbage cans, or similar objects on private property between the hours of 10:00 p.m. and 7:00 a.m. in a manner to cause a noise disturbance.

Section 17.58.050[E][1] Construction Noise indicates that operating or causing the operation of tools or equipment on private property used in alteration, construction, demolition, drilling, or repair work daily between the hours of 7:00 p.m. and 7:00 a.m., so that the sound creates a noise disturbance across a residential property line, except for emergency work of public service utilities. However, neither the City of Manteca General Plan nor Municipal Code establish numeric maximum acceptable construction source noise levels at potentially affected receivers, which would allow for a quantified determination of what CEQA constitutes a substantial temporary or permanent increase in ambient noise levels.

4.10.5 BASIS FOR DETERMINING SIGNIFICANCE

According to Section XIII of the CEQA Guidelines, the Project would result in a significant impact to noise if the Project or any Project-related component would result in:



- a. *Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;*
- b. *Generation of excessive ground borne vibration or ground borne noise levels;*
- c. *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels.*

A. Noise Level Increases

In relation to the first threshold, under CEQA, consideration must be given to the existing baseline ambient noise levels the location of noise-sensitive receivers, and the magnitude of the potential to determine if a noise increase represents a significant adverse environmental impact. This approach recognizes that there is no single noise increase that renders the noise impact significant. This is primarily because of the wide variation in individual thresholds of annoyance and differing individual experiences with noise. Thus, an important way of determining a person’s subjective reaction to a new noise is the comparison of it to the existing environment to which one has adapted, i.e., the ambient noise environment. The MMC Section 17.100.060 defines the ambient noise level as the composite of noise from all sources, excluding the alleged offensive noise. In this context, it represents the normal or existing level of environmental noise at a given location for a specified time of day or night.

In general, the more a new noise exceeds the previously existing ambient noise level, the less acceptable the new noise will typically be judged.

1. Off-Site Traffic

The Federal Interagency Committee on Noise (FICON) guidance provides an established source of criteria to assess the impacts of substantial temporary or permanent increase in baseline ambient noise levels. Based on the FICON criteria, the amount to which a given noise level increase is considered acceptable is reduced when the without Project (baseline) noise levels are already shown to exceed certain land-use specific exterior noise level criteria. The specific levels are based on typical responses to noise level increases of 5 dBA or readily perceptible, 3 dBA or barely perceptible, and 1.5 dBA depending on the underlying without Project noise levels for noise-sensitive uses. The FICON levels of increases and their perceived acceptance at noise sensitive receiver locations are consistent with guidance outlined in the City of Manteca General Plan Implementation Policy S-6d, the Federal Highway Administration and Caltrans.

2. Stationary Source (Operational)

To determine if Project-related stationary source (operational) noise level increases are significant at off-site receiver locations, a readily perceptible 5 dBA criteria is used. The non-transportation noise



level increases used to determine significant impacts is consistent with the City of Manteca General Plan Implementation Policy S.6d.

3. *Construction*

To control the noise-generating construction activities, the temporary noise level increases over the existing ambient conditions must be considered. In California a substantial noise increase is considered to occur when the project's predicted noise level exceeds the existing noise level by 12 dBA or more. Therefore, consistent with City of Manteca General Plan Implementation Policy S.6d, if the Project-related construction noise levels generate a temporary noise level increase above the existing ambient noise levels of up to 12 dBA Leq, then the Project construction noise level increases will be considered a potentially significant impact.

B. Vibration

In relation to the second threshold, vibration-generating activities were evaluated using the thresholds of significance outlined in the Caltrans Transportation and Construction Vibration Guidance Manual. To assess the potential for building damage, the 0.5 in/sec peak particle velocity (PPV) threshold for modern industrial/commercial buildings and the 0.3 in/sec PPV threshold for older residential buildings are used in this analysis to assess potential impacts due to Project construction vibration levels on surrounding uses.

C. Summary of Significance Criteria

Noise impacts shall be considered significant if any of the following occur as a result of the proposed development. Table 4.10-2, *Summary of Noise Significance Criteria* shows the significance criteria summary matrix that includes the allowable criteria used to identify potentially significant incremental noise level increases.



Table 4.10-2 Summary of Noise Significance Criteria

| Analysis | Condition(s) | Significance Criteria | |
|---------------------------------|---|---------------------------------|------------------------|
| | | Daytime | Nighttime |
| Off-Site Traffic ^{1,2} | If ambient is < 60 dBA CNEL | ≥ 5 dBA CNEL Project increase | |
| | If ambient is 60 - 65 dBA CNEL | ≥ 3 dBA CNEL Project increase | |
| | If ambient is > 65 dBA CNEL | ≥ 1.5 dBA CNEL Project increase | |
| Stationary Source (Operational) | Exterior Noise Level Standards ³ | 55 dBA L _{eq} | 45 dBA L _{eq} |
| | Exterior Noise Level Increase ² | 5 dBA L _{eq} | |
| Construction | Noise Level Threshold ⁴ | 80 dBA L _{eq} | 70 dBA L _{eq} |
| | Exterior Noise Level Increase ² | 12 dBA L _{eq} | |
| | Vibration Level Threshold ⁵ | 0.3 - 0.5 PPV (in/sec) | |

¹ FICON, 1992

² City of Manteca General Plan Implementation Policy S-6d.

³ City of Manteca General Plan Implementation Policy S-6c.

⁴ Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual. Typical noise level is described over an 8-hour duration Leq(8hr) and the peak hour or loudest equipment are described over one hour Leq(1hr).

⁵ Table 19 and 20 of the Caltrans Transportation and Construction Vibration Guidance Manual

"Daytime" = 7:00 a.m. to 10:00 p.m.; "Nighttime" = 10:00 p.m. to 7:00 a.m.

4.10.6 METHODOLOGY

A. Noise Receiver Locations

To assess the potential for long-term operational and short-term construction noise impacts, sensitive receiver locations were identified as representative locations for analysis, shown on Figure 4.10-2, *Noise Receiver Locations*. Receiver locations are modeled points used to assess impacts. The measurements shown on Figure 4.10-2 are representative of receiver locations, because not all receiver locations are accessible (e.g., located on private property, unable to physically access, etc.). Thus, the receiver locations were chosen to be acoustically representative or similar in nature.

Sensitive receivers are generally defined as locations where people reside or where the presence of unwanted sound could otherwise adversely affect the use of the land. Noise-sensitive land uses are generally considered to include schools, hospitals, single-family dwellings, mobile home parks, churches, libraries, and recreation areas. Moderately noise-sensitive land uses typically include multi-family dwellings, hotels, motels, dormitories, out-patient clinics, cemeteries, golf courses, country clubs, athletic/tennis clubs, and equestrian clubs. Land uses that are considered relatively insensitive to noise include business, commercial, and professional developments. Land uses that are typically not affected by noise include: industrial, manufacturing, utilities, agriculture, undeveloped land, parking lots, warehousing, liquid and solid waste facilities, salvage yards, and transit terminals.



Source(s): Urban Crossroads (10-30-2024)

Figure 4.10-2





To describe the potential off-site Project noise levels, six representative receiver locations in the vicinity of the Project site were identified. Other sensitive land uses in the Project study area that are located at greater distances than those identified in this noise study will experience lower noise levels than those presented in this report due to the additional attenuation from distance and the shielding of intervening structures. Distance is measured in a straight line from the Project boundary to each receiver location.

- R1: Location R1 represents the existing residence at 1098 Norman Drive, approximately 452 feet north of the Project site. Receiver R1 is placed in the private outdoor living area (backyard) facing the Project site. A 24-hour noise measurement was taken near this location, L1, to describe the existing ambient noise environment.
- R2: Location R2 represents the medical offices at 1148 Norman Drive, immediately to the north of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, receiver R2 is placed at the building façade. A 24-hour noise measurement was taken near this location, L2, to describe the existing ambient noise environment.
- R3: Location R3 represents the existing residence at 1002 Trinity Street, immediately to southwest of the Project site. Receiver R3 is placed in the private outdoor living area (backyard) facing the Project site. A 24-hour noise measurement was taken near this location, L3, to describe the existing ambient noise environment.
- R4: Location R4 represents the existing residence at 332 Cowell Avenue, immediately to the west of the Project site. Receiver R4 is placed in the private outdoor living area (backyard) facing the Project site. A 24-hour noise measurement was taken near this location, R4, to describe the existing ambient noise environment.
- R5: Location R5 represents the existing residence at 320 Cowell Avenue, approximately 103 feet northwest of the Project site. Receiver R5 is placed in the private outdoor living area (backyard) facing the Project site. A 24-hour noise measurement was taken near this location, L5, to describe the existing ambient noise environment.
- R6: Location R6 represents the existing residence at 432 Cowell Avenue, approximately 180 feet southwest of the Project site. Receiver R6 is placed in the private outdoor living area (backyard) facing the Project site. A 24-hour noise measurement was taken near this location, L3, to describe the existing ambient noise environment.

B. Construction Noise

The construction noise analysis was prepared using reference construction equipment noise levels from the FHWA published Roadway Construction Noise Model (RCNM), which includes a national database of construction equipment reference noise emission levels. The RCNM equipment database, provides a comprehensive list of the noise generating characteristics for specific types of construction equipment. In addition, the database provides an acoustical usage factor to estimate the fraction of time



each piece of construction equipment is operating at full power (i.e., its loudest condition) during a construction operation.

The construction noise analysis evaluates Project construction-related noise levels at the closest nearby receiver locations in the Project area. Using the reference construction equipment noise levels and the CadnaA (Computer Aided Noise Abatement) noise prediction model, calculations of the Project construction noise level impacts at the nearby sensitive receiver locations were completed. To assess a reasonable worst-case construction scenario and account for the dynamic nature of construction activities, the Project construction noise analysis models the equipment combination with the highest reference level as a moving point within the construction area (Project site boundary) over an 8 hour period. However, to present a conservative analysis, the loudest Project construction equipment noise levels by stage over a one hour period was also calculated at the limits of construction (Project site boundary) nearest to the affected receivers. Since it is unlikely that multiple pieces of construction equipment can operate simultaneously near the limits of construction for the entire construction period, this analysis likely overstates the potential Project related construction noise impacts.

C. Operational Noise

The operational noise analysis evaluates the potential daytime and nighttime activities at the Project site. The on-site Project-related noise sources are expected to include cold storage loading dock activity, tractor trailer storage activity, roof-top air conditioning units, parking lot vehicle movements, trash enclosure activity, and truck movements.

To estimate the Project's potential operational noise impacts, reference noise level measurements were collected from similar types of activities to represent the noise levels expected with the development of the Project. The reference noise level measurements presented in the noise analysis were collected using a Larson Davis LxT Type 1 precision sound level meter (serial number 01146). The LxT sound level meter was calibrated using a Larson-Davis calibrator, Model CAL 200, was programmed in "slow" mode to record noise levels in "A" weighted form and was located at approximately five feet above the ground elevation for each measurement.

D. Transportation Noise

The expected roadway noise level increases from vehicular traffic were calculated by Urban Crossroads, Inc. using a computer program that replicates the FHWA Traffic Noise Prediction Model-FHWA-RD-77-108. This methodology is commonly used to describe the off-site traffic noise levels throughout southern California. The FHWA Model arrives at a predicted noise level through a series of adjustments to the Reference Energy Mean Emission Level (REMEL) by vehicle type. REMEL represents the maximum sound level (L_{max}) of individual vehicle "pass by" events by vehicle type when measured at a "reference distance" of 50 feet from the center of the travel lane. This is the same methodology and approach used for the City of Manteca General Plan.



E. Vibration

The operation of construction equipment causes ground vibrations that spread through the ground and diminish in strength with distance. Ground-borne vibration levels resulting from typical construction activities occurring within the Project site were estimated by data published by the FTA. There are no sources of vibration associated with the proposed industrial use.

4.10.7 IMPACT ANALYSIS

Threshold a: Would the Project generate substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

The analysis presented on the following pages summarizes the Project’s potential construction noise levels and operational noise levels, including off-site noise that would be generated by Project-related traffic.

A. Construction Noise

The Project construction activities are expected to occur in the following stages: 1) Site Preparation, 2) Grading, 3) Building Construction, 4) Paving, and 5) application of Architectural Coating. Noise generated by the Project construction equipment would include a combination of trucks, power tools, concrete mixers, and portable generators that when combined could reach high noise levels and would cause a short-term increase in ambient noise levels. The Project’s potential construction noise levels at nearby receiver locations are summarized in Table 4.10-3, *Construction Equipment Noise Level Summary*, and loudest construction equipment noise levels are summarized in Table 4.10-4, *Loudest Construction Equipment Noise Level Summary*.

Table 4.10-3 Construction Equipment Noise Level Summary

| Receiver Location ¹ | Typical Construction Noise Levels (dBA L _{eq} (8hr)) | | | | | |
|--------------------------------|---|---------|-----------------------|--------|-----------------------|-----------------------------|
| | Site Preparation | Grading | Building Construction | Paving | Architectural Coating | Highest Levels ² |
| R1 | 48.7 | 48.0 | 45.3 | 42.6 | 40.9 | 48.7 |
| R2 | 71.6 | 70.9 | 68.2 | 65.5 | 63.8 | 71.6 |
| R3 | 63.8 | 63.1 | 60.4 | 57.7 | 56.0 | 63.8 |
| R4 | 62.9 | 62.2 | 59.5 | 56.8 | 55.1 | 62.9 |
| R5 | 58.8 | 58.1 | 55.4 | 52.7 | 51.0 | 58.8 |
| R6 | 57.2 | 56.5 | 53.8 | 51.1 | 49.4 | 57.2 |

¹ Construction noise source and receiver locations are shown on Figure 4.10-2.

² Construction noise level calculations based on distance from the construction activity, which is measured from the Project site boundary to the nearest receiver locations.



Table 4.10-4 Loudest Construction Equipment Noise Level Summary

| Receiver Location ¹ | Loudest Construction Noise Levels (dBA L _{eq} (1hr)) | | | | | |
|--------------------------------|---|---------|-----------------------|--------|-----------------------|-----------------------------|
| | Site Preparation | Grading | Building Construction | Paving | Architectural Coating | Highest Levels ² |
| R1 | 57.1 | 56.4 | 53.7 | 51.0 | 49.3 | 57.1 |
| R2 | 83.8 | 83.1 | 80.4 | 77.7 | 76.0 | 83.8 |
| R3 | 77.1 | 76.4 | 73.7 | 71.0 | 69.3 | 77.1 |
| R4 | 75.4 | 74.7 | 72.0 | 69.3 | 67.6 | 75.4 |
| R5 | 70.3 | 69.6 | 66.9 | 64.2 | 62.5 | 70.3 |
| R6 | 63.8 | 63.1 | 60.4 | 57.7 | 56.0 | 63.8 |

¹ Construction noise source and receiver locations are shown on Figure 4.10-2.

² Construction noise level calculations based on distance from the construction activity, which is measured from the Project site boundary to the nearest receiver locations.

To evaluate whether the Project will generate potentially significant short-term noise levels at nearest receiver locations, a construction-related daytime noise level threshold of 80 dBA L_{eq} is used to assess the daytime construction noise level impacts based on the FTA’s *Transit Noise and Vibration Impact Assessment Manual*. As shown in Table 4.10-5, *Project Construction Noise Level Compliance*, the construction noise analysis shows that one of the nearest receiver locations (R2) under the loudest noise construction condition will exceed the reasonable daytime 80 dBA L_{eq} significance threshold during Project construction activities. Therefore, the noise impacts due to Project construction noise are considered potentially significant.

Table 4.10-5 Project Construction Noise Level Compliance

| Receiver Location ¹ | Project Construction Noise Level Compliance | | | |
|--------------------------------|--|---|------------------------|----------------------------------|
| | Typical Construction Noise Levels (8-Hours) ² | Loudest Construction Noise Levels (1-Hour) ³ | Threshold ⁴ | Threshold Exceeded? ⁵ |
| R1 | 48.7 | 57.1 | 80 | No |
| R2 | 71.6 | 83.8 | 80 | Yes |
| R3 | 63.8 | 77.1 | 80 | No |
| R4 | 62.9 | 75.4 | 80 | No |
| R5 | 58.8 | 70.3 | 80 | No |
| R6 | 57.2 | 63.8 | 80 | No |

¹ Construction equipment noise source and receiver locations are shown on Figure 4.10-2.

² Typical construction equipment noise levels as shown on Table 4.10-3.

³ Loudest construction equipment noise level as shown on Table 4.10-4.

⁴ Construction noise level thresholds as shown on Table 4.10-2.

⁵ Do the estimated Project construction noise levels exceed the construction noise level threshold?



2. Construction Noise Level Increase

To describe the temporary Project construction noise level contributions to the existing ambient noise environment, the Project construction noise levels were combined with the existing ambient noise levels measurements at the nearest off-site receiver locations. The difference between the combined Project-construction and ambient noise levels is used to describe the construction noise level increases. Temporary noise level increases that would be experienced at sensitive receiver locations when the typical Project construction-source noise is added to the ambient daytime conditions are presented on Table 4.10-6, *Daytime Construction Noise Level Increases*. A temporary noise level increase of 12 dBA is considered a potentially significant impact based on the Caltrans substantial noise level increase criteria consistent with City of Manteca General Plan Implementation Policy S.6d which is used to assess the Project-construction noise level increases. As shown in Table 4.10-6, the Project will contribute construction noise increases ranging from 1.3 to 20.8 dBA L_{eq} during the daytime hours at the closest receiver locations, exceeding the 12 dBA L_{eq} threshold at receivers R2 and R3. Therefore, noise impacts due to Project construction noise increase are considered potentially significant.

Table 4.10-6 Daytime Construction Noise Level Increases

| Receiver Location ¹ | Typical Project Construction Noise Level ² | Measurement Location ³ | Reference Ambient Noise Levels ⁴ | Combined Project and Ambient ⁵ | Project Increase ⁶ | Increase Criteria ⁷ | Increase Criteria Exceeded? |
|--------------------------------|---|-----------------------------------|---|---|-------------------------------|--------------------------------|-----------------------------|
| R1 | 48.7 | L1 | 53.4 | 54.7 | 1.3 | 12 | No |
| R2 | 71.6 | L2 | 50.8 | 71.6 | 20.8 | 12 | Yes |
| R3 | 63.8 | L3 | 48.7 | 63.9 | 15.2 | 12 | Yes |
| R4 | 62.9 | L4 | 54.6 | 63.5 | 8.9 | 12 | No |
| R5 | 58.8 | L5 | 54.8 | 60.3 | 5.5 | 12 | No |
| R6 | 57.2 | L3 | 48.7 | 57.8 | 9.1 | 12 | No |

¹ Construction noise source and receiver locations are shown on Figure 4.10-2.

² Unmitigated typical Project daytime construction noise levels as shown on Table 4.10-5.

³ Reference noise level measurement locations as shown on Exhibit 5-A of the Project's Noise and Vibration Analysis..

⁴ Observed daytime ambient noise levels as shown on Table 5-1 of the Project's Noise and Vibration Analysis..

⁵ Represents the combined ambient conditions plus the Project construction activities.

⁶ The noise level increase expected with the addition of the proposed Project construction activities.

⁷ Caltrans substantial and City of Manteca General Plan Implementation Policy S.6d noise level increase criteria.

B. Nighttime Concrete Pouring Analysis

Nighttime concrete pouring activities will occur as a part of Project building construction activities. Nighttime concrete pouring activities are often used to support reduced concrete mixer truck transit times and lower air temperatures than during the daytime hours and are generally limited to the actual building pad area. Since the nighttime concrete pours will take place outside the hours permitted by Manteca Municipal Code Section 17.58.050[E][1], the Project Applicant will be required to obtain authorization for nighttime work from the City of Manteca.



To estimate the noise levels due to nighttime concrete pouring activities, sample reference noise level measurements were taken during a nighttime concrete pouring at a construction site. Urban Crossroads, Inc. collected short-term nighttime concrete pour reference noise level measurements during the noise-sensitive nighttime hours between 1:00 a.m. to 2:00 a.m. at 27334 San Bernardino Avenue in the City of Redlands. The reference noise levels describe the expected concrete pour noise sources that may include concrete mixer truck movements and pouring activities, concrete paving equipment, rear mounted concrete mixer truck backup alarms, engine idling, air brakes, generators, and workers communicating/whistling.

As shown below, the noise levels associated with the nighttime concrete pour activities are estimated to range from 33.4 to 55.9 dBA Leq. The analysis shows that the unmitigated nighttime concrete pour activity will not exceed the 70 dBA Leq nighttime noise level threshold at all the nearest noise receiver locations. Therefore, noise impacts associated with the nighttime concrete pour activities will be less than significant.

Table 4.10-7 Nighttime Concrete Pour Noise Level Compliance

| Receiver Location ¹ | Concrete Pour Construction Noise Levels (dBA Leq) | | |
|--------------------------------|---|------------------------|----------------------------------|
| | Exterior Noise Levels | Threshold ³ | Threshold Exceeded? ⁴ |
| R1 | 33.4 | 70 | No |
| R2 | 55.9 | 70 | No |
| R3 | 48.6 | 70 | No |
| R4 | 47.8 | 70 | No |
| R5 | 43.5 | 70 | No |
| R6 | 41.9 | 70 | No |

¹ Construction noise source and receiver locations are shown on Figure 4.10-2.

² Unmitigated Nighttime Concrete Pour noise model calculations are included in Appendix 10.5 of the Project's Noise and Vibration Analysis.

³ Construction noise level thresholds as shown on Table 4.10-2.

⁴ Do the estimated Project construction noise levels exceed the construction noise level threshold?

C. Operational Noise – Stationary Sources

On-site Project-only operational noise sources are expected to include cold storage loading dock activity, tractor trailer storage activity, roof-top air conditioning units, parking lot vehicle movements, trash enclosure activity, and truck movements. The daytime and nighttime Project operational noise levels at nearby sensitive receptor locations are summarized on Table 4.10-8, *Project Daytime and Nighttime Operational Noise Levels*.



Table 4.10-8 Project Daytime and Nighttime Operational Noise Levels

| Noise Source ¹ | Operational Noise Levels by Receiver Location (dBA Leq) | | | | | |
|--|---|-------------|-------------|-------------|-------------|-------------|
| | R1 | R2 | R3 | R4 | R5 | R6 |
| Daytime | | | | | | |
| Cold Storage Loading Dock Activity | 27.1 | 35.2 | 29.9 | 46.0 | 28.9 | 47.1 |
| Tractor Trailer Storage Activity | 20.5 | 24.4 | 22.7 | 40.5 | 22.6 | 39.6 |
| Roof-Top Air Conditioning Units | 29.0 | 32.2 | 40.6 | 39.2 | 38.0 | 35.5 |
| Parking Lot Vehicle Movements | 21.6 | 24.3 | 39.5 | 41.0 | 33.8 | 31.2 |
| Trash Enclosure Activity | 2.5 | 7.6 | 3.9 | 20.4 | 3.7 | 17.7 |
| Truck Movements | 23.1 | 49.2 | 37.0 | 35.7 | 33.2 | 31.6 |
| Total (All Noise Sources) | 32.5 | 49.5 | 44.2 | 48.8 | 40.7 | 48.2 |
| Noise Level Standards (dBA Leq)² | 55 | 60 | 55 | 55 | 55 | 55 |
| Threshold Exceeded? | No | No | No | No | No | No |
| Nighttime | | | | | | |
| Cold Storage Loading Dock Activity | 27.1 | 35.2 | 29.9 | 46.0 | 28.9 | 47.1 |
| Tractor Trailer Storage Activity | 20.5 | 24.4 | 22.7 | 40.5 | 22.6 | 39.6 |
| Roof-Top Air Conditioning Units | 26.6 | 29.7 | 38.2 | 36.8 | 35.6 | 33.1 |
| Parking Lot Vehicle Movements | 21.6 | 24.3 | 39.5 | 41.0 | 33.8 | 31.2 |
| Trash Enclosure Activity | 0.0 | 3.6 | 0.0 | 16.4 | 0.0 | 13.7 |
| Truck Movements | 23.1 | 49.2 | 37.0 | 35.7 | 33.2 | 31.6 |
| Total (All Noise Sources) | 31.6 | 49.4 | 43.4 | 48.6 | 39.6 | 48.1 |
| Noise Level Standards (dBA Leq)² | 45 | 55 | 45 | 45 | 45 | 45 |
| Threshold Exceeded? | No | No | No | Yes | No | Yes |

¹ See Exhibit 9-A of the Project’s Noise and Vibration Analysis for the noise source locations. CadnaA noise model calculations are included in Appendix 9.1 of the Project’s Noise and Vibration Analysis.

²City of Manteca General Plan Implementation Policy S-6c for residential land use and City of Manteca Municipal Code Table 17.58.050-1

“Daytime” = 7:00 a.m. – 10:00 p.m.; “Nighttime” = 10:00 p.m. – 7:00 a.m.

The unmitigated Project-only operational noise levels are evaluated against exterior noise level thresholds based on the more restrictive exterior noise level standards outlined in the City of Manteca General Plan Policy Implementation Measure S-6c at nearby receiver locations. As shown above, operational noise levels will exceed the nighttime stationary source exterior noise levels standards for the nearby noise sensitive residential land uses west of the Project site at Receiver R4.

Therefore, the unmitigated operational noise impacts are considered potentially significant at the nearby noise-sensitive residential receiver locations and operational noise mitigation measures are required to satisfy the City of Manteca exterior noise level standards.



1. Operational Noise Level Increase

To describe the Project operational noise level increases, the Project operational noise levels are combined with the existing ambient noise levels measurements for the nearby receiver locations that may be potentially impacted by Project operational noise sources. As shown in Table 4.10-9, *Daytime Project Operational Noise Level Increase*, and Table 4.10-10, *Nighttime Operational Noise Level Increases*, the Project will generate a daytime operational noise increase ranging from 0.0 to 2.8 dBA L_{eq} and nighttime operational noise increase ranging from 0.0 to 3.0 dBA L_{eq} at the nearest receiver locations. Project-related operational noise level increases will not exceed the 5 dBA L_{eq} operational noise increase significance criteria from the City of Manteca General Plan Implementation Policy S-6d. Therefore, Project related operational noise level increases at the sensitive receiver locations will be less than significant.

Table 4.10-9 Daytime Project Operational Noise Level Increase

| Receiver Location¹ | Total Project Operational Noise Level² | Measurement Location³ | Reference Ambient Noise Levels⁴ | Combined Project and Ambient⁵ | Project Increase⁶ | Increase Criteria⁷ | Increase Criteria Exceeded? |
|--------------------------------------|--|---|---|---|-------------------------------------|--------------------------------------|------------------------------------|
| R1 | 32.5 | L1 | 53.4 | 53.4 | 0.0 | 5 | No |
| R2 | 49.5 | L2 | 50.8 | 53.2 | 2.4 | 5 | No |
| R3 | 44.2 | L3 | 48.7 | 50.0 | 1.3 | 5 | No |
| R4 | 48.8 | L4 | 54.6 | 55.6 | 1.0 | 5 | No |
| R5 | 40.7 | L5 | 54.8 | 55.0 | 0.2 | 5 | No |
| R6 | 48.2 | L3 | 48.7 | 51.5 | 2.8 | 5 | No |

¹ See Figure 4.10-2 for the receiver locations.

² Total Project daytime unmitigated operational noise levels as shown on Table 4.10-8.

³ Reference noise level measurement locations as shown on Exhibit 5-A of the Project's Noise and Vibration Analysis.

⁴ Observed daytime ambient noise levels as shown on Table 5-1 of the Project's Noise and Vibration Analysis.

⁵ Represents the combined ambient conditions plus the Project activities.

⁶ The noise level increase expected with the addition of the proposed Project activities.

⁷ Significance increase criteria as shown on Table 4.10-2.



Table 4.10-10 Nighttime Operational Noise Level Increases

| Receiver Location ¹ | Total Project Operational Noise Level ² | Measurement Location ³ | Reference Ambient Noise Levels ⁴ | Combined Project and Ambient ⁵ | Project Increase ⁶ | Increase Criteria ⁷ | Increase Criteria Exceeded? |
|--------------------------------|--|-----------------------------------|---|---|-------------------------------|--------------------------------|-----------------------------|
| R1 | 31.6 | L1 | 51.6 | 51.6 | 0.0 | 5 | No |
| R2 | 49.4 | L2 | 49.4 | 52.4 | 3.0 | 5 | No |
| R3 | 43.4 | L3 | 48.6 | 49.7 | 1.1 | 5 | No |
| R4 | 48.6 | L4 | 52.6 | 54.1 | 1.5 | 5 | No |
| R5 | 39.6 | L5 | 51.7 | 52.0 | 0.3 | 5 | No |
| R6 | 48.1 | L3 | 48.6 | 51.4 | 2.8 | 5 | No |

¹ See Figure 4.10-2 for the receiver locations.

² Total Project nighttime unmitigated operational noise levels as shown on Table 4.10-8.

³ Reference noise level measurement locations as shown on Exhibit 5-A of the Project’s Noise and Vibration Analysis..

⁴ Observed nighttime ambient noise levels as shown on Table 5-1 of the Project’s Noise and Vibration Analysis..

⁵ Represents the combined ambient conditions plus the Project activities.

⁶ The noise level increase expected with the addition of the proposed Project activities.

⁷ Significance increase criteria as shown on Table 4.10-2.

D. Operational – Off-site Transportation

To assess the off-site transportation CNEL noise level impacts associated with the development of the Project, noise contours were developed based on the Traffic Analysis (*Technical Appendix K*). Noise contour boundaries represent the equal levels of noise exposure and are measured in CNEL from the center of the roadway.

Noise contours were used to assess the Project’s incremental 24-hour dBA CNEL traffic-related noise impacts at land uses adjacent to roadways conveying Project traffic. The noise contours represent the distance to noise levels of a constant value and are measured from the center of the roadway for the 70, 65, and 60 dBA CNEL noise levels.

As shown on Table 4.10-11, *Existing Off-site Project-Related Traffic Noise Impacts*, Existing with Project conditions will range from 73.1 to 75.4 dBA CNEL and Project off-site traffic noise level increase will range from 0.0 to 0.3 dBA CNEL. Based on the significance criteria for off-site traffic noise presented in Table 4.10-2, *Future Off-Site Project-Related Traffic Noise Impacts*, land uses adjacent to the study area roadway segments would experience less than significant noise level impacts due to unmitigated Project-related traffic noise levels. Table 4.10-12, *Future Off-Site Project-Related Traffic Noise Impacts*, shows the Future with Project conditions will range from 73.2 to 75.6 dBA CNEL and the Project off-site traffic noise level increases will range from 0.0 to 0.3 dBA CNEL.



Table 4.10-11 Existing Off-site Project-Related Traffic Noise Impacts

| ID | Road | Segment | Receiving Land Use ¹ | CNEL at Receiving Land Use (dBA) ¹ | | | Incremental Noise Level Increase Threshold ² | |
|----|----------------|--------------------|---------------------------------|---|--------------|------------------|---|-----------|
| | | | | No Project | With Project | Project Addition | Limit | Exceeded? |
| 1 | Cottage Ave | n/o Yosemite Ave. | Sensitive | 73.1 | 73.3 | 0.2 | 1.5 | No |
| 2 | Spreckels Ave. | s/o Yosemite Ave. | Non-Sensitive | 74.7 | 74.9 | 0.2 | 1.5 | No |
| 3 | Spreckels Ave. | n/o Phoenix Dr. | Sensitive | 74.2 | 74.4 | 0.2 | 1.5 | No |
| 4 | Spreckels Ave. | s/o Phoenix Dr. | Sensitive | 75.0 | 75.3 | 0.3 | 1.5 | No |
| 5 | Spreckels Ave. | n/o Moffat Blvd. | Sensitive | 75.2 | 75.4 | 0.2 | 1.5 | No |
| 6 | Spreckels Ave. | s/o Moffat Blvd. | Sensitive | 75.1 | 75.3 | 0.2 | 1.5 | No |
| 7 | Yosemite Ave. | w/o Spreckels Ave. | Sensitive | 73.1 | 73.1 | 0.0 | 1.5 | No |
| 8 | Yosemite Ave. | e/o Spreckels Ave. | Non-Sensitive | 74.5 | 74.6 | 0.1 | 1.5 | No |
| 9 | Moffat Blvd. | w/o Spreckels Ave. | Non-Sensitive | 74.7 | 74.8 | 0.1 | 1.5 | No |
| 10 | Moffat Blvd. | e/o Spreckels Ave. | Non-Sensitive | 74.9 | 75.0 | 0.1 | 1.5 | No |

¹ Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.

² The CNEL is calculated at the boundary of the right-of-way of each roadway and the property line of the receiving land use.

³ Does the Project create an incremental noise level increase exceeding the significance criteria?

Table 4.10-12 Future Off-Site Project-Related Traffic Noise Impacts

| ID | Road | Segment | Receiving Land Use ¹ | CNEL at Receiving Land Use (dBA) ¹ | | | Incremental Noise Level Increase Threshold ² | |
|----|----------------|--------------------|---------------------------------|---|--------------|------------------|---|-----------|
| | | | | No Project | With Project | Project Addition | Limit | Exceeded? |
| 1 | Cottage Ave | n/o Yosemite Ave. | Sensitive | 73.2 | 73.4 | 0.2 | 1.5 | No |
| 2 | Spreckels Ave. | s/o Yosemite Ave. | Non-Sensitive | 74.8 | 75.0 | 0.2 | 1.5 | No |
| 3 | Spreckels Ave. | n/o Phoenix Dr. | Sensitive | 74.3 | 74.6 | 0.3 | 1.5 | No |
| 4 | Spreckels Ave. | s/o Phoenix Dr. | Sensitive | 75.1 | 75.4 | 0.3 | 1.5 | No |
| 5 | Spreckels Ave. | n/o Moffat Blvd. | Sensitive | 75.3 | 75.6 | 0.3 | 1.5 | No |
| 6 | Spreckels Ave. | s/o Moffat Blvd. | Sensitive | 75.2 | 75.4 | 0.2 | 1.5 | No |
| 7 | Yosemite Ave. | w/o Spreckels Ave. | Sensitive | 73.2 | 73.2 | 0.0 | 1.5 | No |
| 8 | Yosemite Ave. | e/o Spreckels Ave. | Non-Sensitive | 74.6 | 74.7 | 0.1 | 1.5 | No |
| 9 | Moffat Blvd. | w/o Spreckels Ave. | Non-Sensitive | 74.8 | 74.9 | 0.1 | 1.5 | No |
| 10 | Moffat Blvd. | e/o Spreckels Ave. | Non-Sensitive | 75.0 | 75.1 | 0.1 | 1.5 | No |

¹ Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.

² The CNEL is calculated at the boundary of the right-of-way of each roadway and the property line of the receiving land use.

³ Does the Project create an incremental noise level increase exceeding the significance criteria?

Based on the significance criteria for off-site traffic noise, land uses adjacent to the study area roadway segments would experience less than significant noise level impacts due to unmitigated Project-related traffic noise levels.



Threshold b: *Would the Project generate excessive groundborne vibration or groundborne noise levels?*

A. Construction Analysis

Construction activities on the Project site would utilize equipment that has the potential to generate vibration, such as small bulldozers, large bulldozers, jackhammers, vibratory roller and loaded trucks. Vibration levels at sensitive receptors near the Project site during Project construction shown on Figure 4.10-3, *Building Structure Locations (Vibration)* and are summarized on Table 4.10-13, *Project Construction Vibration Levels*. At distances ranging from 17 to 470 feet from the limits of off-site construction activities to the nearest residential receiver building structure locations, construction vibration velocity levels are estimated to be between 0.003 and 0.375 PPV (in/sec).

Table 4.10-13 Project Construction Vibration Levels

| Location ¹ | Distance to Const. Activity (Feet) ² | Typical Construction Vibration Levels PPV (in/sec) ³ | | | | | | Thresholds PPV (in/sec) ⁴ | Thresholds Exceeded? ⁵ |
|-----------------------|---|--|-------------|---------------|-----------------|------------------|-------------------------|--------------------------------------|-----------------------------------|
| | | Small bulldozer | Jack-hammer | Loaded Trucks | Large bulldozer | Vibratory Roller | Highest Vibration Level | | |
| R1 | 470' | 0.000 | 0.000 | 0.001 | 0.001 | 0.003 | 0.003 | 0.3 | No |
| R2 | 17' | 0.005 | 0.062 | 0.136 | 0.159 | 0.375 | 0.375 | 0.5 | No |
| R3 | 40' | 0.001 | 0.017 | 0.038 | 0.044 | 0.104 | 0.104 | 0.3 | No |
| R4 | 44' | 0.001 | 0.015 | 0.033 | 0.038 | 0.090 | 0.090 | 0.3 | No |
| R5 | 126' | 0.000 | 0.003 | 0.007 | 0.008 | 0.019 | 0.019 | 0.3 | No |
| R6 | 195' | 0.000 | 0.002 | 0.003 | 0.004 | 0.010 | 0.010 | 0.3 | No |

¹ Vibration source and building locations are shown on Figure 4.10-3.

² Distance from building facade to Project construction boundary.

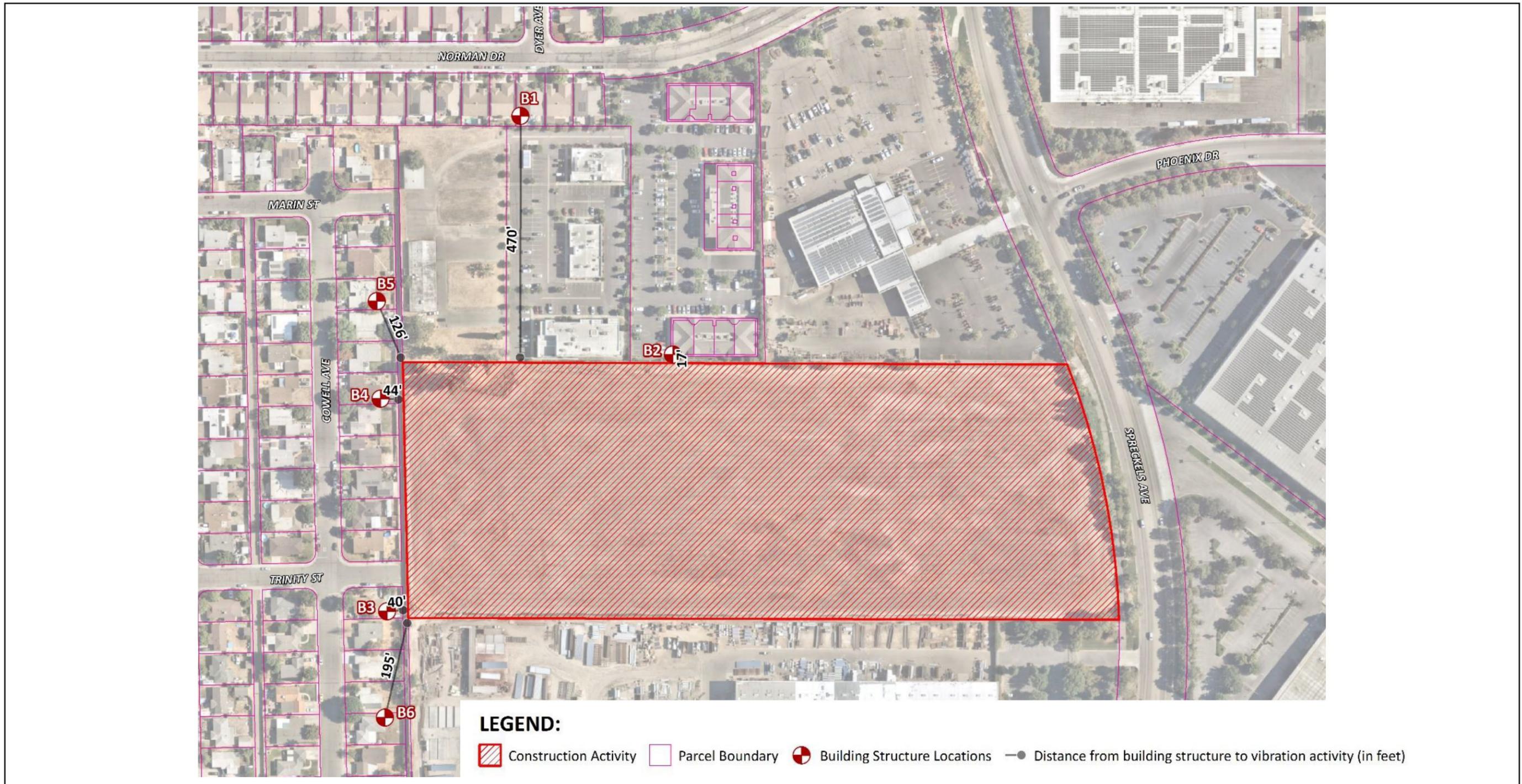
³ Based on the Vibration Source Levels of Construction Equipment.

⁴ Caltrans Transportation and Construction Vibration Guidance Manual, Table 19 and 20

⁵ Does the peak vibration exceed the acceptable vibration thresholds?

"PPV" = Peak Particle Velocity

Based on maximum acceptable continuous vibration thresholds (0.5 in/sec PPV threshold for modern industrial/commercial buildings and the 0.3 in/sec PPV threshold for older residential buildings), the typical Project construction vibration levels will fall below the building damage thresholds at all the nearest receiver building structure locations. Therefore, the Project-related vibration impacts are considered less than significant during typical construction activities at the Project site. In addition, the typical construction vibration levels are unlikely to be sustained during the entire construction period but will occur rather only during the times that heavy construction equipment is operating.



Source(s): Urban Crossroads (10-30-2024)

Figure 4.10-3





B. Operational Analysis

Under long-term conditions, the Project would not include or require equipment or activities that would result in perceptible groundborne vibration at or beyond the Project site. The Project would not result in the exposure of persons to excessive groundborne vibration or noise levels during long-term operation. Impacts would be less than significant.

Threshold c: *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels?*

The Project site is not located within two miles of an airport or airstrip. The closest airport is the Stockton Metropolitan Airport, located over 6 miles north of the Project site. As such, the Project site would not be exposed to excessive noise levels from airport operations, and therefore, impacts are considered less than significant.

4.10.8 CUMULATIVE IMPACT ANALYSIS

A. Construction Noise

Construction activities associated with the Project, especially activities involving heavy equipment, could create intermittent periods of noise when construction equipment is in operation and could cause a short-term increase in ambient noise levels. As discussed in Section 4.0, *Environmental Analysis*, there are no on-going or imminent construction projects in the immediate vicinity of the Project site with construction periods that are expected to overlap with the Project. Accordingly, there is no potential for Project-related construction activities to contribute to cumulatively-considerable impacts to sensitive receptor locations.

B. Operational Noise

The analysis presented under Threshold a addresses the Project's contribution of noise to existing cumulative noise sources (i.e., ambient noise) in the Project area. As described above, the Project would not result in an increase in the cumulative noise levels at sensitive receiver locations.

As shown on Table 4.10-14, *Cumulative Off-Site Traffic Noise Increases*, the overall increase in off-site traffic noise levels from the Existing (baseline) to future with Project conditions ranges from 0.1 to 0.4 dBA CNEL. The Project increment shown represents the difference between the Future without Project and the Future with Project conditions is shown to range from 0.0 to 0.3 dBA CNEL. Based on the significance criteria for off-site traffic noise, land uses adjacent to the study area roadway segments would experience less than significant noise level impacts due to the Project-related traffic. Therefore, the Project contributions to the off-site cumulative traffic noise levels are not cumulatively considerable.

Table 4.10-14 Cumulative Off-Site Traffic Noise Increases

| ID | Roadway | Segment | Receiving Land Use ¹ | CNEL at Receiving Land Use (dBA CNEL) ² | | | | | Incremental Noise | |
|----|----------------|--------------------|---------------------------------|--|----------------------------|-------------------------|---------------------------|-------------------------------|-------------------|------------------------|
| | | | | Existing No Project (a) | Future Without Project (b) | Future With Project (c) | Cumulative Increase (c-a) | Cumulative Contribution (c-b) | Limit | Exceeded? ³ |
| 1 | Cottage Ave | n/o Yosemite Ave. | Sensitive | 73.1 | 73.2 | 73.4 | 0.3 | 0.2 | 1.5 | No |
| 2 | Spreckels Ave. | s/o Yosemite Ave. | Non-Sensitive | 74.7 | 74.8 | 75.0 | 0.3 | 0.2 | 1.5 | No |
| 3 | Spreckels Ave. | n/o Phoenix Dr. | Non-Sensitive | 74.2 | 74.3 | 74.6 | 0.4 | 0.3 | 1.5 | No |
| 4 | Spreckels Ave. | s/o Phoenix Dr. | Non-Sensitive | 75 | 75.1 | 75.4 | 0.4 | 0.3 | 1.5 | No |
| 5 | Spreckels Ave. | n/o Moffat Blvd. | Non-Sensitive | 75.2 | 75.3 | 75.6 | 0.4 | 0.3 | 1.5 | No |
| 6 | Spreckels Ave. | s/o Moffat Blvd. | Non-Sensitive | 75.1 | 75.2 | 75.4 | 0.3 | 0.2 | 1.5 | No |
| 7 | Yosemite Ave. | w/o Spreckels Ave. | Sensitive | 73.1 | 73.2 | 73.2 | 0.1 | 0.0 | 1.5 | No |
| 8 | Yosemite Ave. | e/o Spreckels Ave. | Non-Sensitive | 74.5 | 74.6 | 74.7 | 0.2 | 0.1 | 1.5 | No |
| 9 | Moffat Blvd. | w/o Spreckels Ave. | Non-Sensitive | 74.7 | 74.8 | 74.9 | 0.2 | 0.1 | 1.5 | No |
| 10 | Moffat Blvd. | e/o Spreckels Ave. | Non-Sensitive | 74.9 | 75.0 | 75.1 | 0.2 | 0.1 | 1.5 | No |

¹ Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.

² The CNEL is calculated at the boundary of the right-of-way of each roadway and the property line of the receiving land use.

³ Does the Project create an incremental noise level increase exceeding the significance criteria?



C. Groundborne Vibration and Noise

During construction, the Project's peak vibration impacts would occur during the grading phase when large pieces of equipment, like bulldozers, are operating on-site. (During the non-grading phases of Project construction, when smaller pieces of equipment are used on-site, the Project's vibration would be minimal.) Vibration effects diminish rapidly from the source; therefore, the only sources of cumulative vibration in the vicinity of the Project site could occur on properties abutting these sites. As described above, there are no known active or pending construction projects abutting the Project site that would overlap with the Project's proposed construction schedule. Accordingly, there is no potential for the Project to contribute to the exposure of persons to substantial temporary groundborne vibration or noise.

Under long-term conditions, the Project would not include or require equipment or activities that would result in perceptible groundborne vibration beyond the Project site. Therefore, Project vibration would not combine with vibration sources from other related projects. The Project would not cumulatively-contribute to the exposure of persons to excessive groundborne vibration or noise levels during long-term operation.

4.10.9 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold a: Potentially Significant Impact. The Project would exceed significance thresholds for construction noise levels and operational noise levels. As such, the Project would potentially generate substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

Threshold b: Less-than-Significant Impact. The Project's construction and operational activities would not exceed vibration thresholds. As such, the Project would not generate excessive groundborne vibration or groundborne noise levels. Impacts would be less than significant.

Threshold c: No Impact. The Project site is not located within two miles of an airport or airstrip. As such, the Project site would not be exposed to excessive noise levels from airport operations, and therefore, impacts are considered less than significant.

4.10.10 MITIGATION

The following mitigation measure would reduce potentially significant Project construction and operational noise and satisfy the City of Manteca exterior noise level standards.

- MM 4.10-1 Prior to the issuance of a grading permit, the Project Applicant shall install a minimum 12-foot-high temporary noise barrier along the northern, western and southwestern Project site boundary, as shown in Figure 4.10-4, *Temporary Construction Noise Barrier*. The noise control barriers must have a solid face from top to bottom. The noise control barriers must meet the minimum height and be constructed as follows:

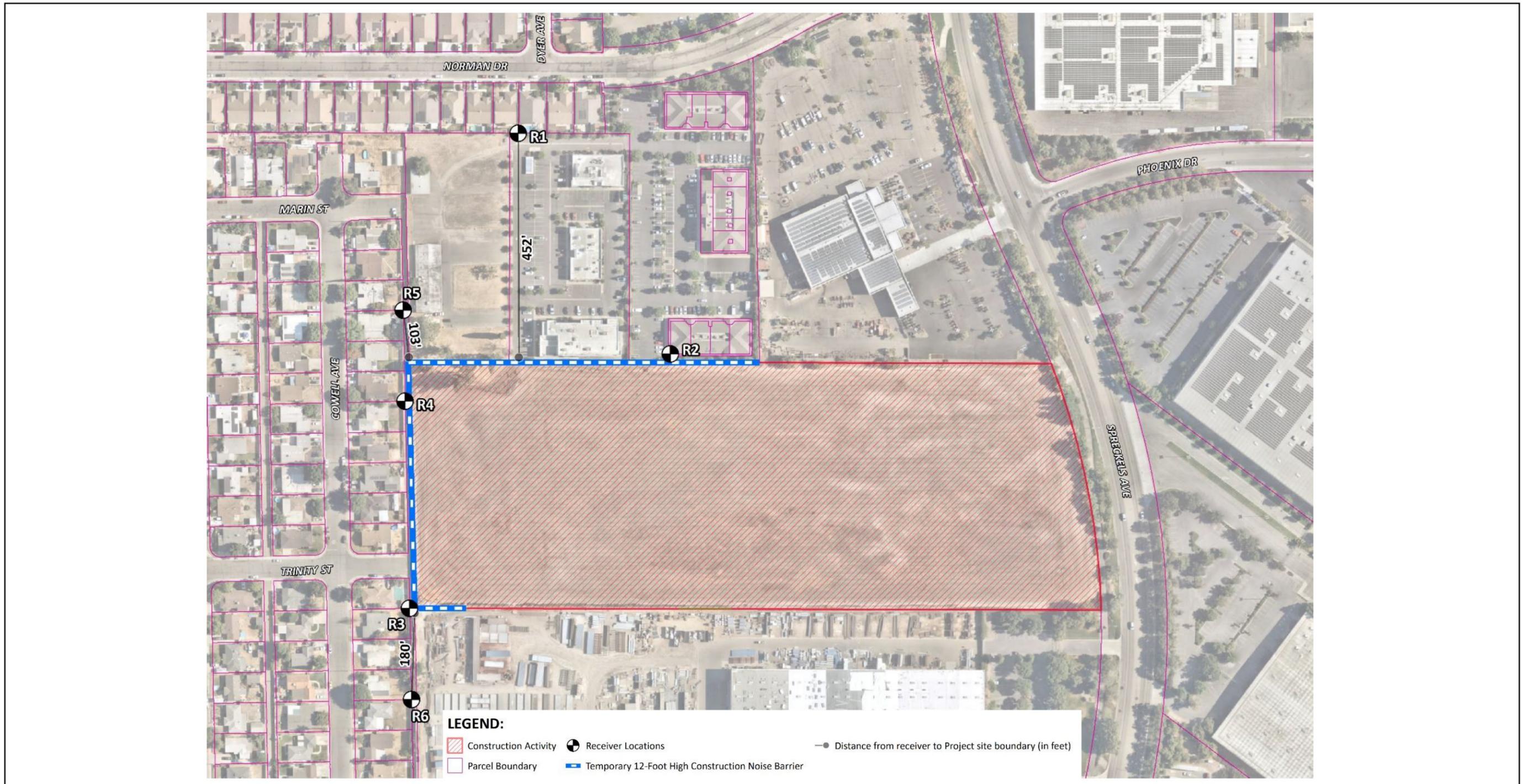


- a. The temporary noise barriers shall provide a minimum transmission loss of 20 dBA (Federal Highway Administration, Noise Barrier Design Handbook). The noise barrier shall be constructed using an acoustical blanket (e.g. vinyl acoustic curtains or quilted blankets) attached to the construction site perimeter fence or equivalent temporary fence posts.
- b. The noise barrier must be maintained, and any damage promptly repaired. Gaps, holes, or weaknesses in the barrier or openings between the barrier and the ground shall be promptly repaired.
- c. The noise control barrier and associated elements shall be completely removed, and the site appropriately restored upon the conclusion of the construction activity.

MM 4.10-2 Prior to the issuance of grading permits, the Project Applicant shall submit a construction management plan demonstrating that best management practices are implemented for construction activities, including but not limited to:

- a. Construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards.
- b. All stationary construction equipment shall be placed in such a manner so that emitted noise is directed away from any sensitive receivers.
- c. Construction equipment staging areas shall be located at the greatest feasible distance between the staging area and the nearest sensitive receivers.
- d. The construction contractor shall limit equipment and material deliveries to the same hours specified for construction equipment for MM-2.
- e. Electrically powered air compressors and similar power tools shall be used, when feasible, in place of diesel equipment.
- f. No music or electronically reinforced speech from construction workers shall be allowed.

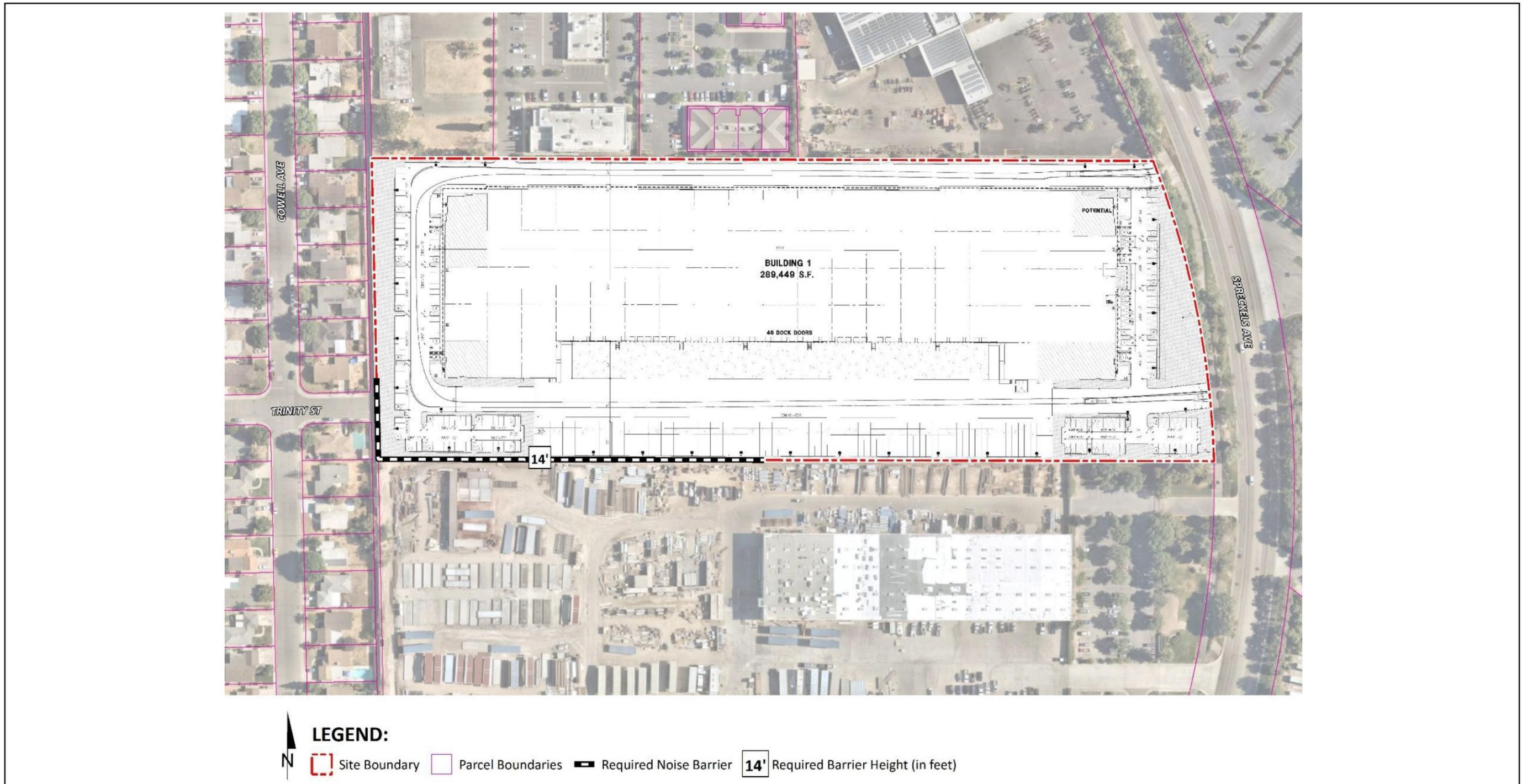
MM 4.10-3 Prior to the issuance of building permits, the Project Applicant shall install a minimum 14-foot-high noise barrier for the loading dock areas along the southwestern corner of the Project site boundary, as shown on Figure 4.10-5, *Proposed Noise Barrier*. The 12-foot-high noise barrier may be an addition to the existing 8-foot-high wall or replacement.



Source(s): Urban Crossroads (10-30-2024)

Figure 4.10-4





Source(s): Urban Crossroads (02-20-2025)

Figure 4.10-5



4.10.11 SIGNIFICANCE OF IMPACTS AFTER MITIGATION

A. Construction

To reduce the short-term construction noise levels, a minimum 12-foot-high temporary noise barrier at the northern, western and southwestern Project site boundary is required to reduce the construction noise at the noise sensitive receiver. Table 4.10-15, *Mitigated Project Construction Noise Level Compliance*, shows that the mitigated construction noise levels at the nearest noise sensitive receiver locations are expected to range from 45.8 to 72.0 dBA L_{eq} . The mitigated construction noise levels associated with Project will not exceed the 80 dBA L_{eq} construction noise level threshold. Therefore, the mitigated construction noise impacts are considered less than significant at the nearby noise-sensitive receiver locations.

Table 4.10-15 Mitigated Project Construction Noise Level Compliance

| Receiver Location ¹ | Construction Noise Levels (dBA L_{eq}) | | | |
|--------------------------------|--|---|------------------------|----------------------------------|
| | Typical Construction Noise Levels (8-Hours) ² | Loudest Construction Noise Levels (1-Hour) ³ | Threshold ⁴ | Threshold Exceeded? ⁵ |
| R1 | 45.8 | 51.8 | 80 | No |
| R2 | 60.7 | 71.5 | 80 | No |
| R3 | 59.1 | 72.0 | 80 | No |
| R4 | 58.7 | 70.5 | 80 | No |
| R5 | 55.9 | 65.5 | 80 | No |
| R6 | 56.6 | 61.6 | 80 | No |

¹ Construction equipment noise source and receiver locations are shown on Figure 4.10-2.

² Mitigated typical construction equipment noise level calculations included in Appendix 10.3 of the Project's Noise and Vibration Analysis

³ Mitigated loudest construction equipment noise level calculations included in Appendix 10.4 Project's Noise and Vibration Analysis.

⁴ Construction noise level thresholds.

⁵ Do the estimated Project construction noise levels exceed the construction noise level threshold?

To describe the temporary Project construction noise level contributions to the existing ambient noise environment, the Project construction noise levels were combined with the existing ambient noise levels measurements at the nearest off-site receiver locations. The difference between the combined Project-construction and ambient noise levels is used to describe the construction noise level increases. Temporary noise level increases that would be experienced at sensitive receiver locations when the typical Project construction-source noise is added to the ambient daytime conditions are presented on Table 4.10-16, *Mitigated Daytime Construction Noise Level Increases*. A temporary noise level increase of 12 dBA is considered a potentially significant impact based on the Caltrans substantial noise level increase criteria consistent with City of Manteca General Plan Implementation Policy S.6d which is used to assess the Project-construction noise level increases.



Table 4.10-16 Mitigated Daytime Construction Noise Level Increases

| Receiver Location ¹ | Typical Project Construction Noise Level ² | Measurement Location ³ | Reference Ambient Noise Levels ⁴ | Combined Project and Ambient ⁵ | Project Increase ⁶ | Increase Criteria ⁷ | Increase Criteria Exceeded? |
|--------------------------------|---|-----------------------------------|---|---|-------------------------------|--------------------------------|-----------------------------|
| R1 | 45.8 | L1 | 53.4 | 54.1 | 0.7 | 12 | No |
| R2 | 60.7 | L2 | 50.8 | 61.1 | 10.3 | 12 | No |
| R3 | 59.1 | L3 | 48.7 | 59.5 | 10.8 | 12 | No |
| R4 | 58.7 | L4 | 54.6 | 60.1 | 5.5 | 12 | No |
| R5 | 55.9 | L5 | 54.8 | 58.4 | 3.6 | 12 | No |
| R6 | 56.6 | L3 | 48.7 | 57.3 | 8.6 | 12 | No |

¹ Construction noise source and receiver locations are shown on Figure 4.10-2.

² Mitigated typical Project daytime construction noise levels.

³ Reference noise level measurement locations as shown on Exhibit 5-A of the Project’s Noise and Vibration Analysis.

⁴ Observed daytime ambient noise levels as shown on Table 5-1 of the Project’s Noise and Vibration Analysis.

⁵ Represents the combined ambient conditions plus the Project construction activities.

⁶ The noise level increase expected with the addition of the Project construction activities.

⁷ Caltrans substantial and City of Manteca General Plan Implementation Policy S.6d noise level increase criteria.

The Project will contribute construction noise increases ranging from 0.7 to 10.8 dBA L_{eq} during the daytime hours at the closest receiver locations. As shown above, the mitigated construction noise levels will not exceed Caltrans substantial and City of Manteca General Plan Implementation Policy S.6d 12 dBA L_{eq} noise level increase significance threshold. With the required 12-foot-high temporary noise barrier and the construction noise mitigation measures outlined above, the construction noise impacts are considered less than significant.

B. Operation

To demonstrate compliance with local noise regulations, a minimum 14-foot-high noise barrier for the loading dock areas along the southwestern corner of the Project site boundary is required to reduce the operational noise at the noise sensitive receiver. The mitigated Project-only operational noise levels are evaluated against exterior noise level thresholds based on the City of Manteca exterior noise level standards at the existing nearby noise-sensitive receiver locations. Table 4.10-17, *Mitigated Project Operational Noise Level Compliance* shows that the mitigated operational noise levels associated with the Project will not exceed the City of Manteca daytime and nighttime exterior noise level standards at the existing nearby noise-sensitive receiver locations. This includes the medical offices and cancer treatment center located north of the Project site (R2). However, these non-residential commercial medical office uses are limited to the daytime hours between 7:00 a.m. to 10:00 p.m. with no noise sensitive residential receivers that will be exposed to the potential Project nighttime exterior noise levels. In addition, it is important to recognize that the calculated Project operational noise levels are less than the existing ambient noise levels. Therefore, the mitigated operational noise impacts are considered less than significant at the nearby noise-sensitive receiver locations.



Table 4.10-17 Mitigated Project Operational Noise Level Compliance

| Receiver Location ¹ | Receiving Land Use | Project Operational Noise Levels (dBA Leq) ² | | Noise Level Standards (dBA Leq) ³ | | Noise Level Standards Exceeded? ⁴ | |
|--------------------------------|--------------------|---|-----------|--|-----------|--|-----------|
| | | Daytime | Nighttime | Daytime | Nighttime | Daytime | Nighttime |
| R1 | Residential | 32.5 | 31.6 | 55 | 45 | No | No |
| R2 | Commercial | 49.5 | 49.4 | 60 | 55 | No | No |
| R3 | Residential | 44.2 | 43.4 | 55 | 45 | No | No |
| R4 | Residential | 44.3 | 43.9 | 55 | 45 | No | No |
| R5 | Residential | 40.7 | 39.6 | 55 | 45 | No | No |
| R6 | Residential | 45.1 | 44.9 | 55 | 45 | No | No |

¹ See Figure 4.10-2 for the receiver locations.

² Project mitigated operational noise levels.

³ City of Manteca General Plan Implementation Policy S-6c for residential land use and City of Manteca Municipal Code Table 17.58.050-1 Maximum Permissible Sound Pressure Levels for neighborhood commercial land use.

⁴ Do the estimated Project operational noise source activities exceed the noise level standards?

"Daytime" = 7:00 a.m. - 10:00 p.m.; "Nighttime" = 10:00 p.m. - 7:00 a.m.

1. Operational Noise Level Increase

Table 4.10-18, *Mitigated Daytime Operational Noise Level Increases*, shows that the Project will generate mitigated daytime operational noise increases ranging from 0.0 to 2.4 dBA L_{eq} at the nearest receiver locations. Table 4.10-19, *Mitigated Nighttime Operational Noise Level Increases*, shows that the Project will generate mitigated nighttime operational noise increase ranging from 0.0 to 3.0 dBA L_{eq} at the nearest receiver locations. As shown, the Project-related operational noise level increases with the minimum 14-foot-high noise barrier under Mitigation Measure MM 4.10-3 will not exceed the 5 dBA L_{eq} operational noise increase significance criteria from the City of Manteca General Plan Implementation Policy S-6d. Therefore, Project related operational noise level increases at the sensitive receiver locations will be less than significant.



Table 4.10-18 Mitigated Daytime Operational Noise Level Increases

| Receiver Location ¹ | Total Project Operational Noise Level ² | Measurement Location ³ | Reference Ambient Noise Levels ⁴ | Combined Project and Ambient ⁵ | Project Increase ⁶ | Increase Criteria ⁷ | Increase Criteria Exceeded? |
|--------------------------------|--|-----------------------------------|---|---|-------------------------------|--------------------------------|-----------------------------|
| R1 | 32.5 | L1 | 53.4 | 53.4 | 0.0 | 5 | No |
| R2 | 49.5 | L2 | 50.8 | 53.2 | 2.4 | 5 | No |
| R3 | 44.2 | L3 | 48.7 | 50.0 | 1.3 | 5 | No |
| R4 | 44.3 | L4 | 54.6 | 55.0 | 0.4 | 5 | No |
| R5 | 40.7 | L5 | 54.8 | 55.0 | 0.2 | 5 | No |
| R6 | 45.1 | L3 | 48.7 | 50.3 | 1.6 | 5 | No |

¹ See Figure 4.10-2 for the receiver locations.

² Total Project daytime mitigated operational noise levels as shown on Table 4.10-17.

³ Reference noise level measurement locations as shown on Exhibit 5-A of the Project's Noise and Vibration Analysis.

⁴ Observed daytime ambient noise levels as shown on Table 5-1 of the Project's Noise and Vibration Analysis.

⁵ Represents the combined ambient conditions plus the Project activities.

⁶ The noise level increase expected with the addition of the proposed Project activities.

⁷ Significance increase criteria as shown on Table 4.10-2.

Table 4.10-19 Mitigated Nighttime Operational Noise Level Increases

| Receiver Location ¹ | Total Project Operational Noise Level ² | Measurement Location ³ | Reference Ambient Noise Levels ⁴ | Combined Project and Ambient ⁵ | Project Increase ⁶ | Increase Criteria ⁷ | Increase Criteria Exceeded? |
|--------------------------------|--|-----------------------------------|---|---|-------------------------------|--------------------------------|-----------------------------|
| R1 | 31.6 | L1 | 51.6 | 51.6 | 0.0 | 5 | No |
| R2 | 49.4 | L2 | 49.4 | 52.4 | 3.0 | 5 | No |
| R3 | 43.4 | L3 | 48.6 | 49.7 | 1.1 | 5 | No |
| R4 | 43.9 | L4 | 52.6 | 53.2 | 0.6 | 5 | No |
| R5 | 39.6 | L5 | 51.7 | 52.0 | 0.3 | 5 | No |
| R6 | 44.9 | L3 | 48.6 | 50.1 | 1.5 | 5 | No |

¹ See Exhibit 8-A of the Project's Noise and Vibration Analysis for the receiver locations.

² Total Project nighttime mitigated operational noise levels as shown on Table 9-6 of the Project's Noise and Vibration Analysis.

³ Reference noise level measurement locations as shown on Exhibit 5-A of the Project's Noise and Vibration Analysis.

⁴ Observed nighttime ambient noise levels as shown on Table 5-1 of the Project's Noise and Vibration Analysis.

⁵ Represents the combined ambient conditions plus the Project activities.

⁶ The noise level increase expected with the addition of the proposed Project activities.

⁷ Significance increase criteria as shown on Table 4.10-2.

C. Conclusion

Implementation of Mitigation Measures MM 4.10-1 through MM 4.10-3 would ensure that Project construction and operational noise would not exceed significance thresholds. As such, the Project would not generate substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Impacts would be less than significant with mitigation incorporated.



4.11 TRANSPORTATION

The following analysis is based on a Traffic Study (Local Transportation Assessment) prepared by Ruetters & Schuler Civil Engineers (hereafter, R&S), titled “Traffic Study (Local Transportation Assessment) Proposed Warehouse 407 Spreckels Avenue” dated November 2024, and included as *Technical Appendix K* to this EIR. Refer to Section 7.0, *References*, for a complete list of references. The information and the conclusions contained in the TIA related to consistency with programs, plans, and policies for transit, bicycle, and pedestrian facilities; and geometric design features are included in this EIR Section; LOS analyses are not required to be analyzed under CEQA and has been excluded.

This Section assesses transportation impacts resulting from implementation of the Project. Pursuant to SB 743, changes to CEQA Guidelines were adopted in December 2018, which require all lead agencies to adopt a VMT metric as a replacement for automobile delay-based “level of service” (LOS) as the measure for identifying transportation impacts for land use projects. Automobile delay, as measured by “LOS and other similar metrics, no longer constitutes a significant environmental effect under CEQA. Lead agencies in California are required to use VMT to evaluate project-related transportation impacts. This statewide mandate went into effect July 1, 2020. CEQA Guidelines Section 15064.3, effective January 1, 2019, “describes specific considerations for evaluating a project’s transportation impacts” and provides that, except for roadway capacity projects, “a project’s effect on automobile delay (or LOS)” shall not constitute a significant environmental impact” (CEQA Guidelines Section 15064.3(a)).

4.11.1 NOP/SCOPING MEETING COMMENTS

A NOP for the Project was released for public review on December 6, 2024, and an EIR Scoping meeting was held on December 12, 2024. No comments were made during the EIR Scoping Meeting that pertain to Transportation. Additionally, no comments related to Transportation were received during the public scoping period.

4.11.2 EXISTING CONDITIONS

A. Roadway Descriptions

The following describes the roadways in the vicinity of the Project site.

- Dupont Court is an east-west minor collector that extends east from Spreckels Avenue. In the vicinity of the Project site, it exists as a two-lane roadway and provides access to industrial land uses.
- Moffatt Boulevard is a northwest-southeast major collector that extends from South Main Street to southbound State Route 99. In the vicinity of the project, it exists as a two-lane roadway and provides access to industrial, agricultural, commercial, and residential land uses.



- Norman Drive is an east-west major collector that extends east from Hutchings Street to Spreckels Avenue. In the vicinity of the project, it exists as a two-lane roadway and provides access to industrial, commercial, and residential land uses.
- Phoenix Drive is an east-west minor collector that extends from Spreckels Avenue to Commerce Avenue. In the vicinity of the project, it exists as a two-lane roadway and provides access to industrial and commercial land uses.
- Spreckels Avenue/Industrial Park Drive is a north-south arterial and a designated Surface Transportation Assistance Act (STAA) route that extends from Yosemite Avenue to South Main Street. In the vicinity of the project, it exists as a four-lane roadway and provides access to industrial, commercial, and agricultural land uses.
- Yosemite Avenue is an east-west arterial that extends through a major portion of the City of Manteca and continues as State Route 120 east of State Route 99. The segment from Spreckels Avenue and State Route 99 is a designated STAA route. In the vicinity of the project, it exists as a four to five-lane roadway and provides access to commercial and residential land uses.

B. Transit Service

The study area is currently served by Manteca Transit. Manteca Transit provides three types of transit services: 1) Manteca Transit fixed route service that operates within the City of Manteca along four routes originating at Manteca Transit Center with connections to San Joaquin Regional Transit District; 2) Manteca Transit Dial-A-Ride service that operates within the City of Manteca for seniors, persons with disabilities, Medicare card holders and the general public; and 3) Manteca Transit ADA Complementary Paratransit Service that operates within the City of Manteca within a ¾ mile radius of all routes for those with a disability that prevents the use of fixed route transit independently or access a bus stop independently (City of Manteca, 2020b). The nearest route to the Project site is Manteca Transit Route 1 with a bus stop along Spreckels Avenue at Norman Avenue, approximately 800 feet north of the Project site.

C. Bicycle and Pedestrian Facilities

The City of Manteca General Plan, Figure C-2: Active Transportation Plan – Pedestrian Network and Figure C-3: Active Transportation Plan – Bicycle Network, show an existing Class 1 Bike path and Class 1 – Multi-Use Path along the west side of the Spreckels Avenue corridor between Yosemite Avenue and Moffat Boulevard. These facilities provide bicycle and pedestrian access throughout the area and will continue with this project. Observations were made during the peak hour regarding bicycle and pedestrian trips along this corridor. The number of trips at any given crossing varied from 0 at certain locations to a maximum of approximately 17 bicyclists and 16 pedestrians.

D. Truck Routes

The City of Manteca designates Spreckels Avenue, Industrial Park Drive from Moffat Boulevard to Main Street, Yosemite Avenue from Cottage Avenue to SR-99, and Main Street from Industrial Park Drive to SR-120 as STAA truck routes.

4.11.3 REGULATORY FRAMEWORK

A. Federal

1. Surface Transportation Assistance Act

The Surface Transportation Assistance Act of 1982 was a comprehensive transportation funding and policy act of the United States Federal Government. The legislation addressed concerns about the surface transportation infrastructure (highways and bridges). The Act contained Title V, which added five cents to the per gallon gas tax, of which four cents was dedicated to restore interstate highways and bridges, and one cent for public transit. The Act also set a goal of 10 percent for participation of disadvantaged business enterprises in federal-aid projects.

On August 3, 2007, the Surface Transportation Assistance Act, 49 U.S.C. § 31105, was amended by The Implementing Recommendations of the 9/11 Commission Act (Public Law 110-53) to include new rights, remedies and procedures. The amendment protects truck drivers and other workers affecting commercial motor vehicle safety or security from retaliation for reporting, or engaging in activities related to, certain commercial motor vehicle safety, health or security conditions.

B. State

1. SB 743 and VMT-Based Analysis

SB 743 (Steinberg, 2013), which was codified in Public Resources Code Section 21099, required changes to the guidelines implementing CEQA Guidelines regarding the analysis of transportation impacts. Pursuant to Section 21099(b)(1), the criteria for determining the significance of transportation impacts must “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” (see generally, adopted CEQA Guidelines, § 15064.3, subd. (b) [Criteria for Analyzing Transportation Impacts].) With the California Natural Resources Agency’s certification and adoption of the changes to the CEQA Guidelines, automobile delay, as measured by “level of service” and other similar metrics, no longer constitutes a significant environmental effect under CEQA, except in specific circumstances identified in the CEQA Guidelines. (Pub. Resources Code, § 21099, subd. (b)(2))

C. Regional

1. San Joaquin County Regional Transportation Plan

On August 25, 2022, the SJCOG adopted the 2022 RTP/SCS. This document is a long-range vision and investment plan that provides a comprehensive look at future transportation needs in San Joaquin County. The RTP/SCS considers future population growth and housing needs, as well as economic,



environmental, and public health goals. The Plan maps out how the region will integrate transportation and land use, with the ultimate goal of providing transportation options to help the region grow in a financially and environmentally responsible way. It also contributes to California State goals of reductions in greenhouse gas emissions and miles driven on the road. (SJCOG, 2022)

2. *San Joaquin County Congestion Management Plan*

SJCOG operates a Regional Congestion Management Program (RCMP), which monitors cumulative transportation impacts of growth on the regional roadway system, identifies deficient roadways, and develops plans to mitigate the deficiencies. The RCMP considers LOS E or F operations to be deficient and includes segments of SR 120 and Airport Way (north of SR 120) as CMP facilities. (SJCOG, 2023)

3. *San Joaquin County Regional Traffic Impact Fee (RTIF)*

SJCOG has implemented a regional traffic impact fee that is assessed on new developments throughout San Joaquin County. The RTIF capital project list provides funding for various freeway and local road widening. The RTIF capital project began in 2005 and has generated millions in funding for project delivery.

4. *San Joaquin County Measure K*

Measure K is the half-cent sales tax dedicated to transportation projects in San Joaquin County. Measure K passed in November 1990 and began collecting funds for a system of improved highways and local streets, new passenger rail service, regional and inter-regional bus routes, park and-ride lots, new bicycle facilities, and railroad crossings. On November 7, 2006, San Joaquin County voters decided to extend Measure K for an additional 30 years. The renewal of Measure K is estimated to generate \$2.552 billion for the transportation programs identified in the Measure K Expenditure Plan.

D. Local

1. *City of Manteca General Plan*

The General Plan identifies goals related to Transportation in the Circulation Element. Applicable goals and policies and a discussion of the Project’s consistency are discussed in Table 4.9-2, *General Plan Consistency Analysis*, in EIR Section 4.9, *Land Use and Planning*, of this EIR.

2. *City of Manteca Active Transportation Plan*

The Manteca ATP is a comprehensive guide that creates a vision for a network of trails, bike lanes, sidewalks, and other elements aimed at supporting safe walking and bicycling throughout the City and providing connections to nearby destinations. (City of Manteca, 2020a)

3. *City of Manteca Public Facilities Implementation Plan*

The City of Manteca is in the midst of updating the Public Facilities Implementation Plan (PFIP). PFIP is a fee program which collects fees from new development to finance capacity expansion of public facilities (i.e., water, sewer collection, drainage, and transportation) necessary to accommodate the new



demands. The City’s draft PFIP includes a variety of roadway widenings or extensions such as Airport Way, Atherton Drive, McKinley Avenue, and other roadways within the City. The plan also includes various intersection improvements.

4.11.4 BASIS FOR DETERMINING SIGNIFICANCE

According to Section XVII of Appendix G to the CEQA Guidelines, the Project would result in a significant impact to transportation and traffic if the Project or any Project-related component would

- a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities;*
- b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b);*
- c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment);*
- d. Result in inadequate emergency access.*

4.11.5 METHODOLOGY

CEQA Guidelines Section 15064.3(b) establishes criteria for evaluating a project’s transportation impacts based on project type and using automobile VMT as the metric. As identified in Section 15064.3(b)(4) of the CEQA Guidelines, a lead agency has the discretion to choose the most appropriate methodology to evaluate a project’s VMT. The Governor’s Office of Planning and Research (OPR) released a Technical Advisory on Evaluating Transportation Impacts in CEQA.

The Project’s Traffic Study was prepared consistent with the California Department of Transportation (Caltrans) “Guide for the Preparation of Traffic Impact Studies,” dated December 2002 and the City of Manteca SB 743 Implementation Policy, dated 2022. The scope of the study includes five intersections (2 signalized and 3 unsignalized, stop-controlled).

The Project trip generation was estimated using the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition. The ITE Trip Generation Manual contains trip generation rates for each of the possible warehouse types. However, each type has distinctive characteristics for overall daily and AM and PM peak hour traffic, as well as differences in the percentage breakdown between automobiles and trucks. Given that a user has not yet been identified, a blended rate was developed using a combination of warehouse types to cover the maximum potential trip generation anticipated for the Project. The blended rate uses the (157) High-Cube Cold Storage rate for the daily traffic and the (150) General Warehouse rate for the peak hour traffic. This blended rate is intended to capture the maximum potential generation for daily and peak hour trip generation for general warehousing, high-cube transload, cold storage or high-cube fulfillment center (non-sort) to provide a conservative assessment of the Project’s impacts upon the surrounding roadway network.



4.11.6 IMPACT ANALYSIS

Threshold a: Would the Project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

A. SJCOG 2022 RTP/SCS

The SJCOG’s 2022 RTP/SCS includes eight policies with corresponding implementation strategies for conserving energy, maximizing mobility and accessibility, increasing safety and security, preserving the transportation system, supporting economic development, promoting interagency cooperation and public participation, maximizing cost effectiveness, and improving quality of life for residents. These goals and policies and a discussion of the Project’s consistency are discussed in Table 4.9-3, *SJCOG 2022 RTP/SCS Consistency Analysis*, in EIR Section 4.9, *Land Use and Planning*, of this EIR. As shown, the Project would not conflict with any of the applicable 2022 RTP/SCS goals and policies, and impacts would be less than significant.

B. City of Manteca General Plan Circulation Element

As discussed previously, the General Plan identifies goals related to Transportation in the Circulation Element. Applicable goals and policies and a discussion of the Project’s consistency are discussed in Table 4.9-2, *General Plan Consistency Analysis*, in EIR Section 4.9, *Land Use and Planning*, of this EIR. As shown, the Project would not conflict with any of the applicable General Plan goals and policies, and impacts would be less than significant.

C. Conclusion

As shown above, the Project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities and impacts would be less than significant.

Threshold b: Would the Project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

An analysis of Project VMT (vehicle miles traveled) was conducted in accordance with the “City of Manteca SB 743 Implementation Policy,” dated 2022. The City’s policy provides project screening criteria to streamline the VMT analysis for projects that meet certain criteria, referred to as Project Screening. Project Screening can be met if the project meets at least one of the five screening criteria - (1) Small Projects, (2) Provision of Affordable Housing, (3) Local-Serving Retail, (4) Project located in a High-Quality Transit Area, and (5) Project located in low VMT area. The Small Projects screening criteria, where projects are consistent with the City’s General Plan, allow for a project’s VMT analysis to be screened if the project would generate fewer than 1,000 average daily trips (ADT), and projects not consistent with the City’s General Plan, can be screened if the project would generate fewer than 500 ADT. This project meets the Small Projects criteria since it is consistent with the approved General Plan and zoning land use designation, and it generates fewer than 1,000 ADT.



The Project has been analyzed using a mix High-Cube Cold Storage and General Warehouse to generate the potential maximum trip generation anticipated by this project. In doing so, the maximum daily trips potentially generated by the Project are 614. In accordance with the City of Manteca’s SB 743 Implementation Policy, as stated above, the Project meets the Small Projects criteria, which means it can be screened out from further VMT analysis, since it is consistent with the City’s General Plan, and it generates fewer than the corresponding significance threshold of 1,000 ADT.. Therefore, VMT impacts generated by the Project would be less than significant.

Threshold c: Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The Project’s potential to increase hazards as a result of a geometric design feature has been assessed to provide adequate truck access/circulation. The Project’s circulation plan has been designed to be compatible with all foreseeable vehicles. During construction, frontage improvements including median improvements, sidewalks, driveway modifications needed to accommodate site access, and landscaping improvements would be constructed in accordance with City standards.

The Project area is generally characterized by industrial uses. Traffic generated by the Project would be typical of an industrial development and be compatible with the type of traffic generated by the existing and surrounding development. Proposed roadway improvements along the Project site frontage would occur within the public rights-of-way and would be installed in conformance with the City’s design standards. The Project would not substantially increase hazards due to a geometric design feature, and no hazardous transportation design features would be introduced by the Project. Accordingly, the Project would not create or substantially increase safety hazards due to a design feature or incompatible use. Impacts would be less than significant.

Threshold d: Would the Project result in inadequate emergency access?

The City evaluated the Project’s design, including but not limited to the proposed driveway location and parking lot/drive aisle configuration, to ensure that adequate access would be provided for emergency vehicles at all phases of Project development. Furthermore, the Project would provide adequate emergency access along abutting roadways during temporary construction activities within the public right-of-way. Moreover, the Project would comply with fire safety requirements and standards of the City Fire Department, including fire prevention and suppression measures relating to water improvement plans, fire hydrants, automatic fire extinguishing systems, fire access, access gates, combustible construction, water availability, and fire sprinkler systems. This would ensure that the Project is designed and constructed to provide adequate emergency access for emergency vehicles. Therefore, the Project would not result in inadequate emergency access and impacts would be less than significant.



4.11.7 CUMULATIVE IMPACT ANALYSIS

This cumulative impact analysis considers development of the Project in conjunction with other development projects and planned development. The analysis under Threshold “a” indicates that the Project would not conflict with relevant SJCOG RTP/SCS or City General Plan programs, plans, and policies addressing the circulation system. Further, the Project does not include any features that would preclude the City from completing and complying with these guiding documents and policy objectives. Future development in the City would be expected to comply with all applicable relevant programs, plans, and policies. Therefore, no cumulative impact would occur.

OPR’s Technical Advisory states that “a project that falls below an efficiency-based threshold (e.g., VMT per service population) that is aligned with long-term goals and relevant plans has no cumulative impact distinct from the project impact. Accordingly, a finding of a less than significant project impact would imply a less than significant cumulative impact and vice versa. This is similar to the analysis typically conducted for greenhouse gas emissions, air quality impacts, and impacts that utilize plan compliance as a threshold of significance.” Since the Project would not result in significant impacts at the project level, cumulative impacts would similarly be less than significant.

Based on the review of the Project site driveways, no safety concerns relating to geometric design of the Project site access points would occur. Furthermore, the Project is compatible with the uses in the immediately surrounding area. Therefore, impacts are not considered to be cumulatively-considerable and no significant cumulative impact would occur.

As discussed above, the Project would not result in inadequate emergency access. Therefore, the Project would not cumulatively contribute to inadequate emergency access, and no cumulative impact would occur.

4.11.8 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold a: Less than Significant Impact. The Project would not conflict with a program, plan, policy addressing the circulation system such that the Project would result in a significant impact on the environment.

Threshold b: Less than Significant Impact. The Project meets the Small Projects criteria and generates fewer than the corresponding significance threshold of 1,000 daily trips (ADT). The Project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). The Project would not result in a significant VMT impact at a Project and cumulative level.

Threshold c: Less than Significant Impact. The Project would not create or substantially increase safety hazards due to a design feature or incompatible use.

Threshold d: Less than Significant Impact. Adequate emergency access would be provided to the Project site during construction and long-term operation. The Project would not result in inadequate emergency access to the site or surrounding properties.



4.11.9 MITIGATION

No mitigation is required.

4.11.10 SIGNIFICANCE OF IMPACTS AFTER MITIGATION

Impacts would be less than significant. No mitigation is required.



4.12 TRIBAL CULTURAL RESOURCES

The analysis in this Section is based on the cultural resources assessment report prepared by Applied EarthWorks, Inc. (hereafter, “AE”). The referenced AE report is titled “Cultural Resources Study for the Spreckels Distribution Center, City of Manteca, San Joaquin County, California,” dated August 2024 (AE, 2024a), and is included as *Technical Appendix D* to this EIR. Written and oral communication between Native American tribes and the City of Manteca is considered confidential in respect to places that have tribal cultural significance (Government Code Section 65352.4), and although all communications that occurred between the Native American tribes and the City of Manteca pertaining to the Project site were relied upon to inform the preparation of this EIR Section, those communications are treated as confidential and are not available for public review. Under existing law, environmental documents must not include information about the location of archeological sites or sacred lands or any other information that is exempt from public disclosure pursuant to the Public Records Act (California Code of Regulations Section 15120[d]).

4.12.1 NOP/SCOPING MEETING COMMENTS

A NOP for the Project was released for public review on December 6, 2024, and an EIR Scoping meeting was held on December 12, 2024. No comments were made during the EIR Scoping Meeting that pertain to Tribal Cultural Resources. Additionally, no comments related to Tribal Cultural Resources were received during the public scoping period.

4.12.2 EXISTING CONDITIONS

The information provided below is a summary of the Existing Conditions information provided in Section 4.3, *Cultural Resources*, and *Technical Appendix D*, of this EIR. Please refer to Section 4.3.1 for a detailed discussion of the Project’s prehistoric and historic setting as it applies to Native Americans.

A. *Ethnographic Setting*

The Project area is in the homeland of the Delta Yokuts, or Far Northern Valley Yokuts ancestral territory. At the time of first contact with the Spanish missionaries, the Delta Yokuts, as well as the Northern Valley, Southern Valley, and Foothill Yokuts groups, collectively dwelled and stewarded the San Joaquin Valley and the western foothills of the Sierra Nevada from the Fresno River southward to the Kern River. The Delta Yokuts closely interacted with their Ohlone neighbors within the San Francisco Bay area. These groups spoke a language belonging to the broader Penutian family, which subsumes a relatively diverse assemblage of languages including Miwok, Costanoan, Maiduan, and Wintuan. Compared to other Penutian languages, however, Yokuts dialects show considerable internal linguistic homogeneity, especially given the extent of their geographic distribution. Dialects differ minimally and were mutually intelligible, at least among speakers of contiguous groups. This relative lack of linguistic differentiation suggests that ancestors of the Yokuts entered California after the arrival and subsequent radiation of the more linguistically diverse Penutian groups such as the Ohlone, Miwok, and Costanoan.



The Delta Yokuts—a categorical construct of linguists and ethnographers—subsumes numerous tribelets north of the Merced River that share cultural and linguistic traits. The Delta Yokuts have historically been lumped into the same ethnolinguistic category as the Northern Valley Yokuts, which is likely due to the fragmentary nature of research done in the region. However, more recent studies suggest that a discrete ethnolinguistic category is warranted for these northern Yokuts groups, as a portion of their documented lexicon is not found in other Yokuts languages.

The Atsnil and Coconoon Delta Yokuts were likely the closest stewards of the Project vicinity and would have been sustained by the rich and varied array of food and material resources available along the banks of the San Joaquin, Tuolumne, and Merced rivers. Local food resources likely included freshwater clams, fish, waterfowl, elk, pronghorn, jackrabbits, small seeds, grass nuts, and tule seeds and roots. This group harvested wild seeds and acorns in the early summer and fall, respectively, and stored them for use throughout the year. Burning was used to enhance the productivity of vegetable foods. In addition, these groups likely accessed resources via exchange with neighboring tribal groups such as the Ohlone, Miwok, Mono, Chumash, and Costanoan. Connections between the Delta Yokuts and the Ohlone who occupied the present-day Bay Area are well documented archaeologically and historically. Archaeological and ethnographic accounts show that the Ohlone and Delta Yokuts were regular trading partners at the time of contact with Euro-Americans. Conflicts between these groups, noted and likely exacerbated by the Spanish, occurred occasionally.

As with other Native American groups in the valley, the lifeways of the Northern Valley Yokuts were dramatically altered as a result of contact with Spanish explorers and missionaries, miners, ranchers, and other European immigrants who entered the valley after 1700. The introduction of European culture and new diseases proved devastating to the native population. Traditional lifestyles were diminished, and numerous people died from disease. Population estimates for the eighteenth century put the number of Yokuts living in the San Joaquin Valley at around 41,000.

However, several Yokuts tribal groups have survived, maintained governmental and community organization, and continue to steward and enhance traditional cultural and religious practices, worldviews, and identities through language apprenticeship programs, early childhood education centers, and other programs, services, and practices to serve tribal members, including the Wukchumne of the Tule-Kaweah near Porterville, Choynimni speakers of the Kings River tribes, Chukchansi at the Picayune and Table Mountain Rancherias near Fresno, and Yawelmani speakers of the Tule River Reservation. Several Yokuts tribal groups are governed by elders' councils and operate auxiliary departments that serve local tribal populations in areas of healthcare, education, and cultural resource management.



4.12.3 REGULATORY FRAMEWORK

A. *Federal*

1. *American Indian Religious Freedom Act*

The American Indian Religious Freedom Act (AIRFA) requires each executive branch agency with statutory or administrative responsibility for the management of Federal lands shall, to the extent practicable, permitted by law, and not clearly inconsistent with essential agency functions, to accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and avoid adversely affecting the physical integrity of such sacred sites. Where appropriate, agencies also are required to maintain the confidentiality of sacred sites. Each executive branch agency with statutory or administrative responsibility for the management of Federal lands are required to implement procedures to ensure reasonable notice is provided of proposed actions or land management policies that may restrict future access to or ceremonial use of, or adversely affect the physical integrity of, sacred sites.

2. *Native American Graves Protection and Repatriation Act (NAGPRA)*

The Native American Graves Protection and Repatriation Act (NAGPRA; Public Law 101-601; 25 U.S.C. 3001-3013) describes the rights of Native American lineal descendants, Indian tribes, and Native Hawaiian organizations with respect to the treatment, repatriation, and disposition of Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony, referred to collectively in the statute as cultural items, with which they can show a relationship of lineal descent or cultural affiliation.

One major purpose of this statute is to require that federal agencies and museums receiving Federal funds inventory holdings of Native American human remains and funerary objects and provide written summaries of other cultural items. The agencies and museums must consult with Indian Tribes and Native Hawaiian organizations to attempt to reach agreements on the repatriation or other disposition of these remains and objects. Once lineal descent or cultural affiliation has been established, and in some cases the right of possession also has been demonstrated, lineal descendants, affiliated Indian Tribes, or affiliated Native Hawaiian organizations normally make the final determination about the disposition of cultural items. Disposition may take many forms from reburial to long term curation, according to the wishes of the lineal descendent(s) or culturally affiliated Tribe(s).

The second major purpose of the statute is to provide greater protection for Native American burial sites and more careful control over the removal of Native American human remains, funerary objects, sacred objects, and items of cultural patrimony on Federal and tribal lands. NAGPRA requires that Indian tribes or Native Hawaiian organizations be consulted whenever archaeological investigations encounter, or are expected to encounter, Native American cultural items or when such items are unexpectedly discovered on Federal or tribal lands. Excavation or removal of any such items also must be done under procedures required by the Archaeological Resources Protection Act. This NAGPRA requirement is likely to encourage the in-situ preservation of archaeological sites, or at least the portions of them that contain burials or other kinds of cultural items.



Other provisions of NAGPRA: (1) stipulate that illegal trafficking in human remains and cultural items may result in criminal penalties; (2) authorizes the Secretary of the Interior to administer a grants program to assist museums and Indian Tribes in complying with certain requirements of the statute; (3) requires the Secretary of the Interior to establish a Review Committee to provide advice and assistance in carrying out key provisions of the statute; authorizes the Secretary of the Interior to penalize museums that fail to comply with the statute; and, (5) directs the Secretary to develop regulations in consultation with this Review Committee. (NPS, 2024c)

B. State

1. Assembly Bill 52 (AB 52)

AB 52 (2014) Chapter 532 amended Section 5097.94 of, and added Sections 21073, 21074, 21080.3.1, 21080.3.2, 21802.3, 21083.09, 21084.2 and 21084.3 to the California Public Resources Code, relating to Native Americans. AB 52 was approved on September 25, 2014. By including tribal cultural resources early in the CEQA process, the legislature intended to ensure that local and Tribal governments, public agencies, and project proponents would have information available, early in the project planning process, to identify and address potential adverse impacts to tribal cultural resources. By taking this proactive approach, the legislature also intended to reduce the potential for delay and conflicts in the environmental review process.

The Public Resources Code now establishes 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.) To help determine whether a project may have such an effect, the Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a project. That consultation must take place prior to the determination of whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project. (Pub. Resources Code, § 21080.3.1.)

If a lead agency determines that a project may cause a substantial adverse change to tribal cultural resources, the lead agency must consider measures to mitigate that impact. Public Resources Code § 21084.3 (b)(2) provides examples of mitigation measures that lead agencies may consider to avoid or minimize impacts to tribal cultural resources. These rules apply to projects that have a notice of preparation for an environmental impact report or negative declaration or mitigated negative declaration filed on or after July 1, 2015.

§ 21074 of the Public Resources Code defines “tribal cultural resources.” In brief, in order to be considered a “tribal cultural resource,” a resource must be either:

- (1) listed, or determined to be eligible for listing, on the national, state, or local register of historic resources, or



- (2) a resource that the lead agency chooses, in its discretion, to treat as a tribal cultural resource. (OPR, 2017b)

In the latter instance, the lead agency must determine that the resource meets the criteria for listing in the state register of historic resources. In applying those criteria, a lead agency must consider the value of the resource to the tribe.

2. *California Register of Historical Resources (1993)*

As a recipient of federal funding, the California Office of Historic Preservation administers the California Register of Historical Resources (CRHR) (Public Resources Code Section 5020 et. seq.). The purpose of the California Register is to develop and maintain an authoritative guide to be used by state and local agencies, private groups, and citizens to identify the state's historical resources and to indicate which properties are to be protected, to the extent prudent and desirable, from substantial adverse change. The State Historic Preservation Officer enforces a designation and protection process, has a qualified historic preservation review commission, maintains a system for surveys and inventories, and provides for adequate public participation in its activities. Sites, places, or objects that are eligible to the National Register, are automatically included in the California Register.

3. *State Health and Safety Code*

California HSC § 7050.5(b) requires that excavation and disturbance activities must cease “In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery...” until the coroner can determine regarding the circumstances, manner, and cause of any death. The coroner is then required to make recommendations concerning the treatment and disposition of the human remains. Further, this section of the code makes it a misdemeanor to intentionally disturb, mutilate or remove interred human remains. § 7051 specifies that the removal of human remains from “internment or a place of storage while awaiting internment” with the intent to sell them or to dissect them with “malice or wantonness” is a public offense punishable by imprisonment in a state prison. Lastly, HSC §§ 8010-8011 establish the California Native American Graves Protection and Repatriation Act consistent with the federal law addressing the same. The Act stresses that “all California Indian human remains and cultural items are to be treated with dignity and respect.” It encourages voluntary disclosure and return of remains and cultural items by publicly funded agencies and museums in California. It also outlines the need for aiding California Indian tribes, including non-federally recognized tribes, in filing repatriation claims.

4. *California Code of Regulations Section 15064.5*

The California Code of Regulations, Title 14, Chapter 3, § 15064.5 (the State CEQA Guidelines) establishes the procedure for determining the significance of impacts to archaeological and historical resources, as well as classifying the type of resource. Cultural resources are aspects of the environment that require identification and assessment for potential significance. The evaluation of cultural resources under CEQA is based upon the definitions of resources provided in CEQA Guidelines § 15064.5, as follows:



- (1) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code § 5024.1, Title 14 CCR, Section 4850 et seq.).
- (2) A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements Section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- (3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code § 5024.1, Title 14 CCR, Section 4852) including the following:
 - (A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
 - (B) Is associated with the lives of persons important in our past;
 - (C) 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 values; or
 - (D) Has yielded, or may be likely to yield, information important in prehistory or history.
- (4) The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to Section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in Section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code Sections 5020.1(j) or 5024.1.

C. Local

1. City of Manteca General Plan

The General Plan identifies goals related to Resource Conservation in the Resource Conservation Element. These goals and policies and a discussion of the Project's consistency are discussed in Table 4.9-2, *General Plan Consistency Analysis*, in EIR Section 4.9, *Land Use and Planning*, of this EIR.



4.12.4 METHODOLOGY

A. Cultural Resource Study

The information in this Section contains an evaluation of the Project's potential impacts to tribal cultural resources. Much of this analysis presented herein is based on information obtained from the Project's Cultural Resources Study (*Technical Appendix D*) and correspondence between the City and the Native American tribes. The Cultural Resource Assessment included a records search at the CCAIC, Sacred Lands File, additional background research, and a pedestrian field survey of the Project site to determine the presence or absence of archaeological and historic resources.

B. Native American Consultation

The City of Manteca sent notification of the Project to the Native American tribes with traditional or cultural affiliation to the area as described in Section 4.12.2, above. A summary of the AB 52 consultation process and responses is provided below under Threshold a. As previously stated, the results of consultation with interested tribes are confidential; however, any conditions or mitigation established during tribal consultation are incorporated into the analysis within this Section.

4.12.5 BASIS FOR DETERMINING SIGNIFICANCE

According to Section XVIII of Appendix G to the CEQA Guidelines, the Project would result in a significant impact to tribal resources if the Project or any Project-related component would:

- a. *Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*
 - i. *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or*
 - ii. *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*



4.12.6 IMPACT ANALYSIS

Threshold a: *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or ii) a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?*

A. Cultural Resource Study

As discussed in Cultural Resources Study (*Technical Appendix D*), AE requested a review of the Sacred Lands Files (SLF) by the NAHC on April 15, 2024 to determine if any recorded Native American sacred sites or locations of religious or ceremonial importance are present within one mile of the project. The NAHC SLF search did not indicate the presence of any sacred sites or locations of religious or ceremonial importance within the search radius.

Additionally, as discussed EIR Section 4.3, *Cultural Resources*, the cultural resource found during the pedestrian survey was evaluated as not significant and ineligible for listing on the CRHR. There are no significant historical resources pursuant to Section 15064.5 located within the Project site. However, and due to site past usage of as the Spreckels Sugar Mill, there remains the potential that previously unobserved resources associated with the sugar mill may exist.

Moreover, as part of the Cultural Resources Study, AE contacted the following tribes regarding the locations of sacred or special sites of cultural or spiritual significance in the Project area.

- Amah Mutsun Tribal Band
- Confederated Villages of the Lisjan Nation
- Muwekma Ohlone Tribe of the San Francisco Bay Area
- Northern Valley Yokut /Ohlone Tribe
- Southern Sierra Miwuk Nation
- Tule River Indian Tribe
- Wilton Rancheria
- Wuksachi Indian Tribe/Eshom Valley Band

As of May 2024, three tribes responded and summary of their responses are as follows:



- The Muwekma Ohlone Tribe requested that tribal and archaeological monitors be present for all groundbreaking activities and provided publications, reports, and historical documents relating to the history and heritage of the Tribe. Information from the materials provided by the Muwekma Ohlone Tribe relevant to the Project has been incorporated into Section 2.3 of the Cultural Resources Study (*Technical Appendix D*).
- Confederated Villages of the Lisjan Nation requested a copy of the CHRIS and NAHC SLF search results, the environmental impact report, and a copy of Cultural Resources Study.
- Amah Mutsun Tribal Band stated that the Project is outside of the Tribe's traditional territory and, therefore, has no further comment of interest.

B. Native American Consultation

As part of the previous MND for the Project, the City of Manteca sent notification to the Native American tribes with traditional or cultural affiliation to the area that previously requested consultation pursuant to AB 52 requirements on February 11, 2021 and responses were not received as part of the consultation.

Based on information provided in Section 4.3, *Cultural Resources*, of this Draft EIR and consultation with Native American tribes, there is potential that buried tribal cultural resources could be encountered during ground-disturbing activities. Accordingly, there is a potential for significant impacts to tribal cultural resources occur during grading in native soils.

4.12.7 CUMULATIVE IMPACT ANALYSIS

This cumulative impact analysis considers development of the Project in conjunction with other development projects and planned development projects in the vicinity of the Project site that are in San Joaquin County and the traditional use area of the Amah Mutsun Tribal Band, Confederated Villages of the Lisjan Nation, Muwekma Ohlone Tribe of the San Francisco Bay Area, Northern Valley Yokut /Ohlone Tribe, Southern Sierra Miwuk Nation, Tule River Indian Tribe, Wilton Rancheria, Wuksachi Indian Tribe/Eshom Valley Band.

As noted earlier in this Section, the City of Manteca conducted Native American consultation with potentially culturally affiliated tribes, as required by AB 52. Although other development projects in the traditional use area for the above listed culturally affiliated tribes may impact significant tribal cultural resources, impacts are generally site-specific resulting from ground disturbing activities. Therefore, as discussed above, while there is potential for an impact on a specific site, the impact would not ordinarily extend beyond the site or the immediate surrounding area. There could be circumstances in which a tribal cultural resource extends over more than one property. Therefore, a cumulative impact could occur to tribal cultural resources if grading on the Project site in combination with grading activities at an adjacent cumulative project would impact a tribal cultural resource. However, there are no adjacent cumulative related projects that could potentially combine with the Project to result in



impacts to unknown tribal cultural resources that may lie in the subsurface. Therefore, there would be no cumulative impacts related to tribal cultural resources.

4.12.8 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold a: Potentially Significant Impact. Although no tribal cultural resources are known to occur within the Project's impact limits, implementation of the Project has the potential cause a substantial adverse change in the significance of tribal cultural resources that may be buried beneath the site's surface.

4.12.9 MITIGATION

MM 4.12-1 Prior to the issuance of grading permits, the Project Applicant shall provide written verification in the form of a letter from a tribal representative to the City's Development Services Director stating that a tribal/archaeological monitor from the Muwekma Ohlone Tribe has been retained to implement the monitoring program. The tribal representative will assist in the identification of Native American resources and shall be on-site during all ground-disturbing activities. The tribal representative should be on-site any time the consulting archaeologist is required to be on-site. Working with the consulting archaeologist, the tribal representative shall have the authority to halt, redirect, or divert any activities in areas where the identification, recording, or recovery of Native American resources are on-going. If significant artifacts are identified, treatment of the artifact in coordination with the tribal representative which may include reburial, relocation, or curation.

4.12.10 SIGNIFICANCE OF IMPACTS AFTER MITIGATION

Threshold a: Less-than-Significant Impact with Mitigation Incorporated. Implementation of Mitigation Measures MM 4.12-1, would ensure that grading and other ground-disturbing activities during construction are monitored by a qualified archaeologist as well as Native American monitors. The mitigation measures further require the proper treatment of any resources that may be uncovered, and the avoidance of disturbance in areas where potential resources are uncovered. With implementation of the required mitigation measures, the Project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and potential Project and cumulative impacts would be reduced to less than significant levels.



5.0 OTHER CEQA CONSIDERATIONS

CEQA Guidelines Section 15126 requires that all phases of a project must be considered when evaluating its impact on the environment, including planning, acquisition, development, and operation. It also sets forth general content requirements for EIRs. Potential significant effects of the Project; mitigation measures to address these effects and potential cumulative impacts have been identified throughout the analysis presented in Sections 4.1 through 4.12 of this EIR. An analysis of alternatives is included in Section 6.0, *Alternatives*.

This section provides: (1) identification of significant environmental effects that cannot be avoided if the Project is implemented, (2) identification of significant irreversible environmental changes that would result from implementing the Project, and (3) growth-inducing impacts of the Project.

5.1 SIGNIFICANT EFFECTS WHICH CANNOT BE AVOIDED IF THE PROPOSED PROJECT IS IMPLEMENTED

The CEQA Guidelines require that an EIR disclose the significant environmental effects of a project which cannot be avoided if the proposed project is implemented (CEQA Guidelines Section 15126(b)). As described in detail in Section 4.0, *Environmental Analysis*, of this EIR, the Project is anticipated to result in impacts to the environment that cannot be reduced to below a level of significance after compliance with applicable federal, State and local regulations; and the application of the feasible mitigation measures identified in this EIR. The impacts that cannot be mitigated to a level of less than significant are as follows:

- Greenhouse Gas Emissions: Project related GHG emissions totaling 6,469.73 MTCO_{2e}/yr would exceed the 3,000 MTCO_{2e}/yr threshold. Neither the City of Manteca nor the Project Applicant have regulatory authority to control mobile source (tailpipe) emissions. All feasible mitigation measures have been incorporated (Refer to Mitigation Measures MM 4.1-1 through 4.1-3 and Mitigation Measures MM 4.6-1 through 4.6-2); however, these mitigation measures would not reduce GHG emissions to levels that are less than significant. Thus, these emissions are considered significant and unavoidable. The Project would have the potential to result in a cumulatively considerable impact with respect to GHG emissions.

5.2 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

The State CEQA Guidelines require EIRs to address any significant irreversible environmental changes that would be involved with the proposed action should it be implemented (CEQA Guidelines § 15126.2[c]). An environmental change would fall into this category if: a) the project would involve a large commitment of non-renewable resources; b) the primary and secondary impacts of the project would generally commit future generations to similar uses; c) the project involves uses in which irreversible damage could result from any potential environment accidents; or d) the proposed consumption of resources is not justified (e.g., the project results in the wasteful use of energy).



Determining whether the Project may result in significant irreversible environmental changes requires a determination of whether key non-renewable resources would be degraded or destroyed in such a way that there would be little possibility of restoring them.

Natural resources, in the form of construction materials and energy resources would be used in the construction of the Project. The consumption of these natural resources would represent an irreversible change to the environment. However, the development of the Project site as proposed would have no measurable adverse effect on the availability of such resources, including resources that may be nonrenewable (e.g., fossil fuels). Additionally, the Project is required by law to comply with the California Building Standards Code (CALGreen), which would minimize the Project's demand for energy, including energy produced from non-renewable sources. The Project building would be designed and built to meet the standard for LEED Silver Certification, or above. A detailed discussion of energy consumption is provided in Section 4.4, *Energy*, which determined impacts to be less than significant.

Implementation of the Project would commit the Project site to industrial uses for the lifespan of the Project. As demonstrated in the analysis presented throughout Section 4.0, *Environmental Analysis*, construction and long-term operation of the Project is consistent with the General Plan land use and zoning designation and would be compatible with the existing and planned land uses that surround the Project site. The Project would not result in significant physical environmental effects to nearby properties. Although the Project would cause unavoidable impacts to the environment associated with greenhouse gas emissions, these effects would not commit surrounding properties to land uses other than those that are present under existing conditions.

Section 4.7, *Hazards and Hazardous Materials*, provides an analysis of the Project's potential to transport or handle hazardous materials which, if released into the environment, could result in irreversible damage to the environment. As concluded in the analysis, compliance with federal, State, and local regulations related to hazardous materials would be required of all contractors working on the property during the Project's construction and of all users that occupy the Project's building. As such, construction and long-term operation of the Project would not have the potential to cause significant irreversible damage to the environment, including damage that may result from upset or accident conditions.

As discussed under Section 4.4, *Energy*, the Project would not result in a wasteful consumption of energy or the consumption of resources that is not justified. The Project's energy requirements during construction and operation were analyzed in Section 4.5, *Energy*. As discussed, construction energy use would be typical for the type of construction proposed because there are no aspects of the Project's proposed construction process that are unusual or energy-intensive, and Project construction equipment would conform to the applicable CARB emissions standards. Construction contractors would be required to comply with applicable CARB regulation regarding retrofitting, repowering, or replacement of diesel off-road construction equipment. Moreover, Project operation does not propose uses that are inherently energy intensive and the energy demands in total would be comparable to other



industrial uses of similar scale and configuration. With compliance with Title 24 conservation standards, LEED Silver certification and other regulatory requirements, the Project would not be wasteful or inefficient or unnecessarily consume energy resources during construction or operation.

5.3 GROWTH INDUCING IMPACTS

CEQA requires a discussion of the ways in which the Project could be growth-inducing. The State CEQA Guidelines identify a project as growth-inducing if it would foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment (CEQA Guidelines § 15126.2 [d]). New employees and new residential populations represent direct forms of growth. These direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area, placing additional demands on public services and infrastructure systems, and in the generation of a variety of environmental impacts, which are addressed throughout Section 4.0, *Environmental Analysis*.

To address this issue, potential growth-inducing effects are examined through analysis of the following questions (CEQA Guidelines § 15126.2 [e]):

1. Would this project remove obstacles to population growth (e.g., through the construction or extension of major infrastructure facilities that do not presently exist in the project area or through changes in existing regulations pertaining to land development)?
2. Would this project result in the need to expand one or more public services to maintain desired levels of service?
3. Would this project encourage or facilitate economic effects that could result in other activities that could significantly affect the environment?
4. Would approval of this project involve some precedent setting action that could encourage and facilitate other activities that could significantly affect the environment?

A project could indirectly induce growth at the local level by increasing the demand for additional goods and services associated with an increase in population or employment and thus reducing or removing the barriers to growth. This typically occurs in suburban or rural environs where population growth results in increased demand for service and commodity markets responding to the new population of residents or employees.

Typically, growth-inducing potential of a project would be considered significant if the Project fosters growth or a concentration of population in excess of what is assumed in local and regional land use plans and population projections. Significant growth impacts also could occur if a project provides infrastructure or service capacity to accommodate growth beyond the levels currently permitted by local or regional plans and policies. Further, growth inducement by a project is considered a significant impact if it directly or indirectly affects the ability of agencies to provide needed public services, or if



it can be demonstrated that the potential growth significantly affects the environment in some other way.

Would this project remove obstacles to growth (e.g., through the construction or extension of major infrastructure facilities that do not presently exist in the project area or through changes in existing regulations pertaining to land development)?

The Project would require the extension of roadways and utility infrastructure to serve the development. As discussed in Section 3.0, *Project Description*, access to the Project site would be provided by two driveways along Spreckels Avenue to the east, and a third entry way along the utility access road of the adjacent industrial park to the north. Since all proposed roadways would be constructed on site and for the exclusive purpose of serving the proposed development, the Project would not create major new infrastructure that could result in substantial, unplanned growth.

As shown in Figure 3-8, *Proposed Utility Plan*, the proposed potable water, sewer system would connect to existing infrastructure lines at Spreckels Avenue. Therefore, infrastructure would not extend beyond the Project site and induce population growth. Since all proposed utility infrastructure would connect to existing lines and would be sized to exclusively serve the proposed development, this Project infrastructure would not indirectly induce substantial unplanned population growth.

Would this project result in the need to expand one or more public services to maintain desired levels of service?

As discussed in Section 5.4.5, *Public Services*, the Project would not necessitate the expansion of existing public service facilities to maintain desired levels of service. If these facilities or associated resources do need to be expanded in the future, funding mechanisms are in place through existing regulations and standard practices to accommodate such growth. This Project would not, therefore, have significant growth inducing consequences with respect to public services.

Would this project encourage or facilitate economic effects that could result in other activities that could significantly affect the environment?

A project could indirectly induce growth at the local level by increasing the demand for additional goods and services associated with the increase in project population and thus reducing or removing barriers to growth. This occurs in suburban or rural areas where population growth results in increased demand for service and commodity markets responding to the new population. This type of growth is, however, a regional phenomenon resulting from the introduction of a major employment center or regionally significant housing project. For example, additional commercial uses may be drawn to the area by the increased number of residents in the area.

Economic growth is expected to take place as a result of the Project implementation from construction jobs and employees generated by the Project. The Project's employees (short-term construction and



long-term operational) would purchase goods and services in the region, but any secondary increase in employment associated with meeting these goods and services demands is expected to be marginal, accommodated by existing goods and service providers, and highly unlikely to result in any new physical impacts to the environment based on the amount of existing warehouse/distribution facilities available in areas near the Project site, including the City of Stockton and unincorporated areas of San Joaquin County. As discussed in Section 5.4.4 below, the Project would result in an approximate increase of 358 jobs and the Project's employment is within both San Joaquin Council of Governments' and City growth forecasts.

The extent to which the new jobs created by a project are filled by existing residents is a factor that tends to reduce the growth-inducing effect of a project. During Project construction, design, engineering, and construction-related jobs would be created. This would last until Project construction is completed. At full-Project build out, the Project is estimated to generate approximately 358 permanent jobs. Employees would come from within the City or the surrounding region because there is an imbalance of jobs and housing in San Joaquin County and the jobs that an industrial and commercial project in the region is likely to provide would be consistent with the job skills of residents in the area. For example, San Joaquin County has the largest number of employed residents and jobs in the North San Joaquin Valley. Due to the lower housing costs in the region, many county residents commute to neighboring counties. Between 2012 and 2019, commuters from San Joaquin County increased by 23,600, or 57 percent, compared to an increase in commuters from Stanislaus and Merced counties by 8,400, or 60 percent, and 4,400, or 77 percent, respectively (SJCOG, 2022). The Project's employment generation would not induce substantial growth in the area because the Project would result in service-oriented and industrial-oriented jobs, which are jobs that are anticipated to be filled by existing and future residents of the City and surrounding area.

In summary, because it is anticipated that most of the Project's future employees would already be living in the City of Manteca or the surrounding areas, the Project's introduction of employment opportunities on the Project site would not induce substantial unplanned growth in the area.

Would approval of this project involve some precedent setting action that could encourage and facilitate other activities that could significantly affect the environment?

The Project is limited to the Project site's boundaries and does not include any components that would indirectly affect existing or planned uses on neighboring properties. The development of the proposed logistics uses on the Project site would not reasonably or foreseeably cause the redevelopment of other properties or cause development on other properties.

The Project is consistent with the City's General Plan and zoning designations. Furthermore, the Project's potential influence on other nearby properties to redevelop at greater intensities and/or different uses than the Manteca General Plan and zoning code allow is speculative beyond the rule of reason; however, it should be noted that implementation of the Project would not result in the approval of proposed uses on any other property outside of the Project site. CEQA does not require the analysis



of speculative effects (CEQA Guidelines § 15145). If any other property owner were to propose redevelopment of a property in the Project vicinity or in any part of the City, the redevelopment project would require evaluation under CEQA based on its own merits, including an analysis of direct and cumulatively considerable effects.

The operation and maintenance of the Project would generate jobs, but any potential growth-inducing impact of the employment of persons at the Project site was accounted for in the Manteca General Plan. The Project site has a General Plan land use designation of I – Industrial and zoned as BIP (Business Industrial Park). No General Plan Amendment or Zone Change is required for the Project. The proposed uses would be consistent with the existing General Plan land use designation and Zoning classification for the Project site. Accordingly, the Project would not directly promote growth either at the Project site or at the adjacent and surrounding properties that were not accounted for in the Manteca General Plan.

5.4 IMPACTS CONSIDERED LESS THAN SIGNIFICANT

Section 15128 of the State CEQA Guidelines states that “an EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR.” Based on a review of the Project and supporting technical studies, it was determined that the following topical issues would result in less than significant or no impacts after mandatory compliance with regulatory requirements: Aesthetics, Agricultural Resources, Mineral Resources, Population and Housing, Public Services, Recreation, Utilities and Service Systems, and Wildfire.

5.4.1 AESTHETICS

Threshold a: Would the Project have a substantial adverse effect on a scenic vista?

The City of Manteca General Plan does not designate any scenic corridors or viewsheds (City of Manteca, 2023a). The viewshed experience from the public areas in the vicinity of the Project site predominantly reflects the industrial and warehouse uses of the surrounding properties. Although the Project site is currently undeveloped, views from the public areas are naturally obstructed by the existing terrain on the Project site. Furthermore, due to the extent of existing urbanization and the lack of scenic vistas in the Project area, no impact would occur.

Threshold b: Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

According to the Caltrans State list of eligible and officially designated State Scenic Highways, the Project site is not within or adjacent to a designated or eligible State scenic highway (Caltrans, 2022). The nearest officially designated State scenic highway is Interstate 580 from Interstate 5 to State Route 205 and traverses the edge of the Coast Range to the west and Central Valley to the east. The City of Manteca is not visible from this roadway segment (City of Manteca, 2023a). Therefore, no impacts to scenic resources within a State scenic highway are identified or anticipated.



Threshold c: *Would the Project in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?*

The Project is in an urbanized area with industrial uses to the north and south, residential uses to the east, and commercial and residential uses to the west. As shown in the aerial photographs, the entirety of the Project site is undeveloped and vegetated with native and non-native plants. According to CEQA Guidelines Section 15387, urban areas mean a central city or group of contiguous cities with a population of 50,000 or more, together with adjacent densely populated areas having a population density of at least 1,000 persons per square mile. According to the 2010 Census Urbanized Area Reference Map, the Project is located within an urbanized area (US Census, 2012).

As such, the Project’s potential to conflict with applicable zoning and other regulations governing scenic quality is analyzed. Specifically, regulations governing scenic quality are established through the City’s Municipal Code and General Plan, as discussed below. The purpose of Title 14, Zoning Code, of the City of Manteca Municipal Code, is to “protect and promote the public health, safety, peace, comfort, convenience, prosperity, and general welfare as well as to set forth and coordinate City regulations governing the development and use of land in accordance with the City of Manteca General Plan.” (City of Manteca, 2024b)

The Project site is zoned as BIP (Business Industrial Park) and is therefore subject to the development standards stipulated in Table 17.26.020-1 of Sec. 17.26.020 of the City’s Municipal Code. The proposed land use is consistent with the BIP zoning designation Table 5-1, *Zoning Development Standards Consistency Analysis*, addresses the Project’s consistency with applicable development standards outlined in the Municipal Code.

Table 5-1 Zoning Development Standards Consistency Analysis

| Applicable Development Standard | Project Consistency |
|--|---|
| Setback <ul style="list-style-type: none"> • Front Yard: 25ft¹ • Side Yard: No minimum • Street Side Yard: 25 ft¹ • Rear Yard: No minimum | No Conflict. As shown in Figure 3-4, <i>Proposed Site Plan</i> , the Project meets the minimum required a 25 ft front yard setback along Spreckels Avenue. Additionally, the Project provides more than 40 feet on the western side of the site which meets the minimum setback requirement adjacent to a residential district. Therefore, the Project would meet the minimum setback requirement. |
| Maximum Building Height: 75 ft | No Conflict. As shown in Figure 3-5, <i>Building Elevations – North, West and South</i> and 3-6, <i>Building Elevations - East</i> , the Project would have a maximum height of 45 ft. Therefore, the Project would meet the maximum building height requirement. |



| Applicable Development Standard | Project Consistency |
|--|--|
| Floor Area Ratio (FAR): 1.0 | No Conflict. As shown in Figure 3-4, <i>Proposed Site Plan</i> , the Project has a FAR of 0.448. Therefore, the Project would meet the maximum FAR requirement. |
| Minimum Open Space: 35% of lot | No Conflict. The Project consists of an industrial development that includes communal spaces that are provided within the building such as a breakroom. Therefore, there is no requirement for additional outdoor spaces and the Project would meet the minimum open space requirement. |

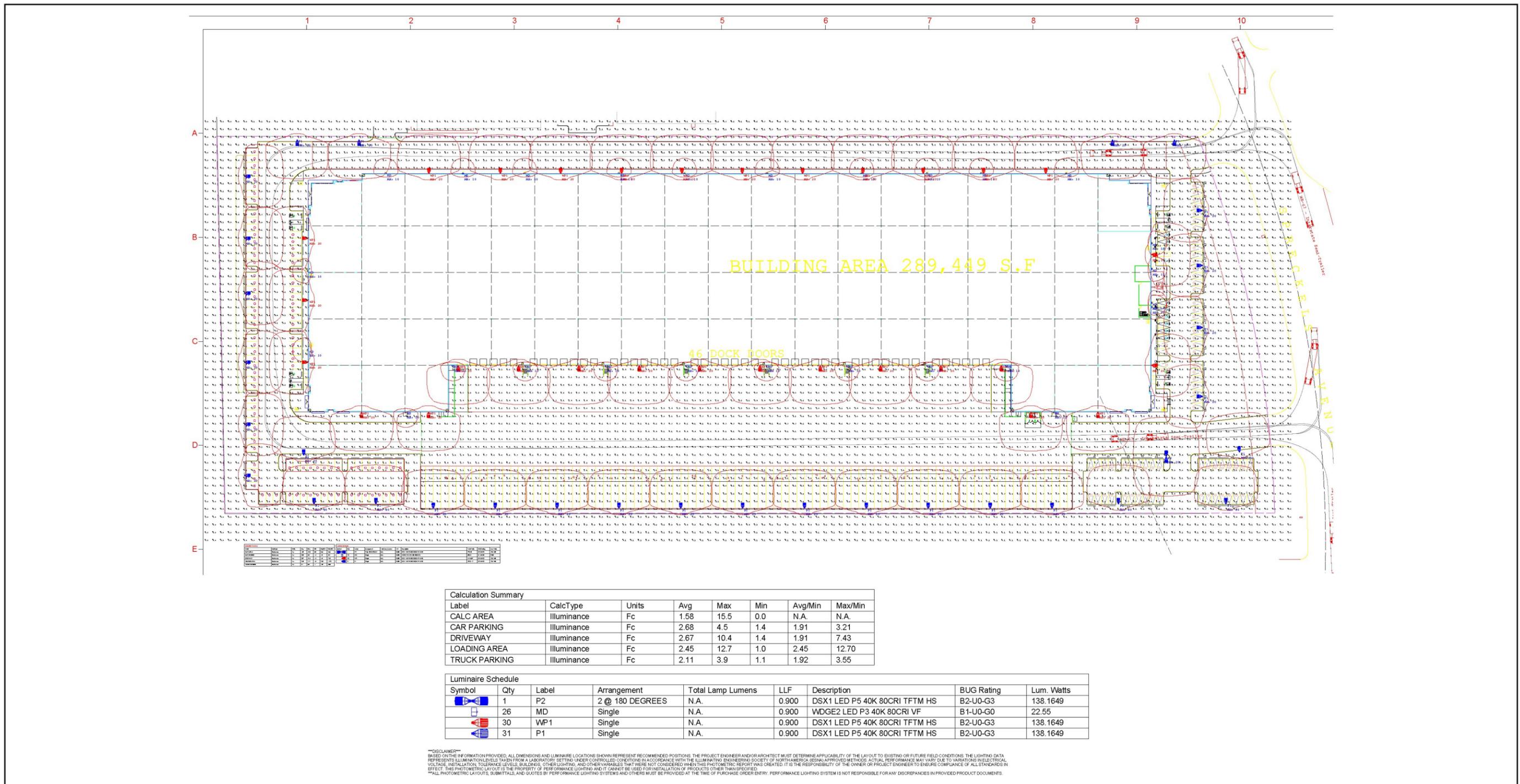
¹ When adjacent to a residential district, all structures shall at a minimum be forty feet when a commercial or industrial-zoned parcel shares a property line with an adjacent residential district. Pursuant to Table 17.08.060-1, the Approving Authority may reduce this setback upon finding compliance with the Performance Standards in Chapter 17.58. Pursuant to Section 17.10.120, a variance shall be required to reduce commercial or industrial use to less than the required setback of an adjacent residential property.

As discussed above, the City has established development standards and landscape requirements in the Municipal Code to protect the visual and scenic quality of the City. As demonstrated through the analysis presented above, the Project would not conflict with applicable development standards in the City’s Municipal Code established for the BIP zone. Therefore, no impact would occur.

Threshold d: Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Under existing conditions, the Project site is wholly vacant and undeveloped and surrounded by a variety of industrial and commercial uses to the north, east, and south and residential uses to the west. Street lights are currently located along Spreckels Avenue.

The Project would introduce new light sources to the Project site as necessary for security, safety, and wayfinding. However, the lighting would be consistent with lighting onsite and in the general area. Section 17.50.070 of the City’s Municipal Code requires the preparation of an outdoor lighting plan as part of each Site Plan and Design Review application. Consistent with Section 17.50.060 of the City’s Municipal Code, which establishes general lighting standards, light fixtures would be designed to be architecturally compatible with the main theme of the building, would be of appropriate height relative to the scale of the building, would illuminate building entrances, and would provide for illumination for security and safety of on-site areas (see Figure 5-1, *Photometric Plan*). Further, lighting levels would not be needlessly intense or induce glare, would be shielded from adjacent properties, would not utilize exposed bulbs, and would avoid unnecessary lighting.



Source(s): Performance Lighting Systems (04-10-2024)

Figure 5.0-1





Glare is caused by light reflections from pavement, vehicles, and building materials such as reflective glass and polished surfaces. During daylight hours, the amount of glare depends on intensity and direction of sunlight. Glare can create hazards to motorists and can be a nuisance for pedestrians and other viewers. Proposed exterior building materials primarily include concrete, painted metal, and tempered glass. These non-reflective building materials would not result in potential glare impacts within the Project site or surrounding areas, and notably at the street level.

Implementation of the Project would not result in a significant source of light or glare that would adversely affect daytime or nighttime views. Accordingly, impacts would be less than significant.

5.4.2 AGRICULTURAL AND FORESTRY RESOURCES

Threshold a: Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?

According to mapping information available from the California Department of Conservation (CDC) Farmland Mapping and Monitoring Program (FMMP), the Project site is designated as Urban and Built-Up Land and does not contain any Prime Farmland, Unique Farmland, or Farmland (CDC, 2018). The nearest area of Prime Farmland is located approximately 0.35 miles to the south of the Project site. Given the Project would not convert Prime Farmland, Unique Farmland, or Farmland, as shown on maps prepared pursuant to the FMMP, to non-agricultural use, no impact would result.

Threshold b: Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract?

The Project site is currently zoned as BIP (Business Industrial Park). The Project's implementation will not require a zone change and will not result in a loss of land zoned for agriculture. There are no farming activities occurring at the site. The Project site is not located within any agricultural preserves, nor is the Project site subject to any Williamson Act Contracts (CDC, 2018; City of Manteca, 2023a). As a result, the Project will not result in conflict with existing agricultural zoning or Williamson Act contracts. The Project would cause no impact.

Threshold c: Would the Project conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production?

Under existing conditions, the Project site is located within the City of Manteca, has a zoning designation of BIP, and does not contain forest land. The Project does not propose an amendment to the zoning plan, and would utilize the land in a manner which is consistent with the BIP zone designation. Accordingly, no impact would occur.



Threshold d: *Would the Project conflict result in the loss of forest land or conversion of forest land to non-forest use?*

The Project site and surrounding areas do not consist of forest land. Therefore, the Project would not result in the loss of forest land or result in the conversion of forest land to non-forest use. Accordingly, no impact would occur and no further analysis of this topic is required.

Threshold e: *Would the Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*

The Project would not result in changes in the environment which, due to their location and nature, could result in conversion of forest land to non-forest use. Accordingly, no impact would occur and no further analysis of this topic is required.

5.4.3 MINERAL RESOURCES

Threshold a: *Would the Project 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?*

The Project does not conflict with California Legislature’s 1975 Surface Mining and Reclamation Act (SMARA), which provides guidelines of the classification and designation of mineral lands. Figure 5.6-1, Mineral Resource Zones, in the City’s Existing Conditions Report shows the Project site is not located within a mineral resource zone (City of Manteca, 2017). The California Department of Conservation does not show oil, gas, or geothermal fields underlying the Project site; and no oil or gas wells are recorded on or near the site in the Division of Oil, Gas, and Geothermal Resources (DOGGR) Well Finder (DOC, 2024). No mines, wells, or other resource extraction activity occurs on the Project site or is known to have occurred on the Project site. Accordingly, no impacts would occur.

Threshold b: *Would the Project 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?*

As discussed above, no known valuable mineral resources exist on or near the Project site, and no mineral resource extraction activities occur on the site. Thus, the Project would not result in the loss of availability of locally-important mineral resources. Accordingly, no impacts would occur.

5.4.4 POPULATION AND HOUSING

Threshold a: *Would the Project 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)?*

The Project would not directly result in population growth because it does not propose any residential dwelling units. Typically, growth would be considered a significant impact pursuant to CEQA if it



directly or indirectly affects the ability of agencies to provide needed public services and requires the expansion or new construction of public facilities and utilities. The current Zoning Classification for the Project site is BIP (Business Industrial Park). The Project would generate approximately 358 employees. According to the California Employment Development Department (EDD), as of August 2024, the City of Manteca has a labor force of 42,000 persons and of that labor force, 2,600 are unemployed (unemployment rate of 6.1 percent) (EDD, 2024). According to SJCOG 2022 RTP/SCS, the City of Manteca is anticipated to employ a total of 49,675 persons by 2050 (SJCOG, 2020). The Project is consistent with the City’s General Plan land use designations and SJCOG’s 2050 employment projections for the City. Project-generated jobs are well within the employment projections for the City. Operation of the Project would not induce substantial unplanned population growth in the Project area, either directly or indirectly and would not exceed regional or local growth projections. Therefore, no impacts would occur.

Threshold b: *Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

The Project site does not contain any residential units. Therefore, implementation of the Project would not displace a substantial number of existing housing, nor would it necessitate the construction of replacement housing elsewhere. No impact would occur.

5.4.5 PUBLIC SERVICES

Threshold a: *Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: 1) Fire protection?; 2) Police protection?; 3) Schools?; 4) Parks?; or 5) Other public facilities?*

Under existing conditions, the Project site is vacant and undeveloped, and therefore requires minimal public services. The Project would result in the development of one 289,449 s.f. warehouse building.

A. Fire Protection

The Manteca Fire Department provides fire protection services to the Project area. There are five active fire stations currently operating within the City of Manteca. The Project would be primarily served by Fire Station 1 which is located approximately 0.19 miles northwest of the Project site.

Development of the Project would impact fire protection services by placing an additional demand on existing fire protection resources due to the increase in employees. To offset the increased demand for fire protection services, the Project would be conditioned by the City to provide a minimum of fire safety and support fire suppression activities, including compliance with State and local fire codes, fire sprinklers, a fire hydrant system, paved access, and secondary access routes. In addition, Project plans



were routed to the Manteca Fire Department for review and comment on the impacts to providing fire protection services. The Manteca Fire Department did not indicate that the Project would result in the need for new or physically altered fire facilities in order to maintain acceptable service ratios, response times or other performance objectives.

Furthermore, the Project would be required to comply with the provisions of the Municipal Code Chapter 15.24 which adopts the 2022 California Fire Code (CFC) as amended therein. The Project would be required to comply with codes, ordinances, and standard conditions within the CFC regarding fire prevention and suppression measures relating to water improvement plans, fire hydrants, automatic fire extinguishing systems, fire access, access gates, combustible construction, water availability, and fire sprinkler systems.

Moreover, the Project would be required to comply with the provisions of Municipal Code Title FS, Fee Schedules, which requires payment of the Development Impact Fee to assist the City in providing for fire protection services. Payment of the Development Impact Fee would ensure that the Project provides fair share funds for the provision of additional public services, including fire protection services, which may be applied to fire facilities and/or equipment, to offset the incremental increase in the demand for fire protection services that would be created by the Project. Based on the above analysis, impacts related to fire protection are less than significant.

B. Police Protection

The Manteca Police Department provides community policing to the Project area via the Manteca Police Station located at 1001 West Center Street, approximately 1.72 miles northeast to the Project site. The Project would increase the demand for police protection services due to the increase in employees. The Project would be required to comply with the provisions of Municipal Code Title FS, Fee Schedules, which requires payment of the Development Impact Fee to assist the City in providing for public services, including police protection services. Payment of the Development Impact Fee would ensure that the Project provides its fair share of funds for additional police protection services, which may be applied to police facilities and/or equipment, to offset the incremental increase in the demand that would be created by the Project.

The Project incorporates safety features such as setbacks from the street and well-lit exterior spaces with visual exposure. The Project would not require the construction of a new police station or physical alteration of existing police protection facilities to maintain an adequate level of police protection service. Therefore, no physical impacts associated with the provision of fire protection services would occur. Based on the above analysis impacts related to police protection are less than significant.

C. Schools

The Project does not propose any housing and would not directly create additional students to be served by the Manteca Unified School District. Due to the nature of the Project and its non-residential uses



within the I-Industrial land use and BIP zoning district, the Project would not generate new residents or students. Based on the above analysis impacts related to schools are less than significant.

D. Parks

The City's Recreation & Community Services Department operates and manages parks and park programs for the City of Manteca. As indicated above, due to the nature of the Project, its proximity to nearby parks, and its non-residential uses within the I-Industrial land use and BIP zoning district, the Project would not generate new residents and no impacts to associated parks are anticipated.

E. Other Public Facilities

No new government services would be needed to implement the Project or service the Project.

5.4.6 RECREATION

Threshold a: *Does the Project 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?*

The Project would not cause a substantial physical deterioration of any park facilities or would accelerate the physical deterioration of any park facilities because the Project does not propose residential dwelling units which would increase the population that would use parks. The payment of Development Impact Fees will reduce any indirect Project impacts related to recreational facilities.

Threshold b: *Does the Project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?*

As noted in the response above, the Project does not propose any recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment. In addition, no offsite parks or recreational improvements are proposed or required as part of the Project.

5.4.7 UTILITIES AND SERVICE SYSTEMS

Threshold a: *Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

The Project would introduce infrastructure lines that would connect to existing facilities adjacent to the Project site. Water service to the Project site would be provided by the City of Manteca Water Division. Water would be accommodated via a proposed 2-inch water main that would extend from



the northeastern corner of the building to an existing point of connection at Spreckels Avenue to the existing 12-inch water main.

Sewer service would be provided by the City of Manteca Sewer Division. A proposed 6-inch sewer line would extend from the northeastern corner of the building, which would connect to the existing sewer main on Spreckels Avenue.

The Project site would include construction of a new storm drainage system, including a drainage collection system, bioretention planter, and underground infiltration basin. Runoff from the Project site will ultimately flow to the existing 30-inch storm drain on Speckels Avenue.

Electricity and natural gas service would be provided by PG&E. The Project would connect to existing electrical and natural gas infrastructure in the Project vicinity.

Construction of the proposed utilities systems will be coordinated with respective agencies to ensure no significant environmental impacts would occur. The Project would not require the construction of new or expanded service system facilities that would result in significant environmental effects. Impacts would be less than significant.

Threshold b: Would the Project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

The Project would be served with potable water from the City’s Water Division. The City’s Water Division conducts water planning based on City’s General Plan forecast growth. The City’s 2020 Urban Water Management Plan projects a surplus in supply during normal year conditions through the year 2045. The City’s current potable water supplies include purchased treated surface water from South San Joaquin Irrigation District (SSJID) conveyed from the Stanislaus River and groundwater pumped by the City from City-owned and operated wells. The City also uses irrigation wells for non-potable water demands such as landscaping, and recycled water from the City’s Wastewater Quality Control Facility (WQCF) for irrigation demands at the Great Wolf Lodge. The City’s surface water reliability is consistent with SSJID’s urban water supply reliability during a single dry year and multiple dry years (City of Manteca, 2023b). The Project is consistent with the City’s General Plan land use designation and therefore consistent with Citywide growth and buildout projections assumed in the City’s 2020 Urban Water Management Plan. Thus, there would be sufficient reliable water supplies available to meet Project demands. Therefore, impacts related to the availability of adequate water supplies to serve the Project from existing entitlements and reasonably foreseeable future development during normal, dry and multiple dry years would be less than significant.



Threshold c: Would the Project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

The City is served by a system of gravity sewers, lift stations, and force mains to collect wastewater. The collection system transports wastewater to the City's WQCF, located southwest of downtown Manteca. Per contractual agreement, 8.42 mgd of plant capacity is allocated to the City of Manteca and 1.45 mgd is allocated to the City of Lathrop. The WQCF treats an average dry weather flow (ADWF) of about 7.2 mgd in 2020 and had an original average dry weather design capacity of 9.87 mgd. According to the 2024 Wastewater Master Plan, the next expansion of the WQCF is projected to be 17.5 mgd to accommodate for the full buildout of the City and Lathrop and any additional flow contributions from other developments outside of the City up to a limit of 0.70 mgd.

Given that the Project is consistent with the General Plan land use designation for the site, buildout of the site with an industrial land use was considered in the WQCF planning efforts. In addition, the General Plan EIR notes that, the planned improvements to the WQCF would be more than sufficient to accommodate the growth planned in General Plan, and impacts related to wastewater treatment capacity would be less than significant. Furthermore, the Project applicant would be required to pay sewer facility development impact fees under Section 13.38.050 of the City's Municipal Code. Required payment of the sewer facility development fee would ensure that the WQCF receives adequate funding for necessary future improvements. Therefore, the Project would result in a determination by the wastewater treatment provider which serves the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments, and impacts would be less than significant.

Threshold d: Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Solid waste generated during the operation of the Project is anticipated to be collected by the City and is anticipated to be hauled to Forward Sanitary Landfill. Forward Sanitary Landfill is permitted to receive 8,668 tons of solid waste per day with a remaining capacity of 22.1 million cubic yards. This landfill originally had a cease operation date in the year 2020. A 17.3-acre expansion was approved in January of 2020 inside the landfill's existing boundaries along Austin Road east of Stockton Metropolitan Airport. The lifespan of the landfill was extended from 2030 to 2036 and an additional 8.2 million cubic yards of waste would be processed on two sites (City of Manteca, 2023a). At buildout, the Project is estimated to generate approximately 1.42 pounds per 100 sf per day (CalRecycle, 2019), resulting in 4,110.17 pounds per day or 2.06 tons per day. The Project's increase in solid waste is well within the landfills remaining permitted capacity and is not anticipated to exceed the existing capacity. In compliance with AB 939, the Project Applicant would be required to implement a Solid Waste Diversion Program and divert at least 50 percent of the solid waste generated by the Project from the Lamb Canyon Landfill. The Project would not result in a significant increase in solid waste generation.



Therefore, it would not result in the impairment of attaining solid waste reduction goals. Solid waste impacts resulting from implementation of the Project would be less than significant.

Threshold e: Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

The following federal and state laws and regulations govern solid waste disposal:

- AB 939 (Chapter 1095, Statutes of 1989), the California Integrated Waste Management Act of 1989 required each city, county, and regional agency to develop a source reduction and recycling element of an integrated waste management plan that contained specified components, including a source reduction component, a recycling component, and a composting component. With certain exceptions, the source reduction and recycling components were required to divert 50 percent of all solid waste from landfill disposal or transformation by January 1, 2000, through source reduction, recycling, and composting activities.
- AB 32 (Chapter 488, Statutes of 2006), the California Global Warming Solutions Act, established mandatory recycling as one of the measures to reduce GHG emissions adopted in the Scoping Plan by the California Air Resources Board.
- AB 341 (Chapter 476, Statutes of 2011) requires that all “commercial” generators of solid waste (businesses, institutions, and multifamily dwellings) establish recycling and/or composting programs. AB 341 goes beyond AB 939 and establishes the new recycling goal of 75 percent by 2020.

The Project would be required to comply with the provisions of the 2022 Green Building Standards Code, which outlines requirements for construction waste reduction, material selection, and natural resource conservation. The Project would be required to comply with all applicable laws and regulations governing solid waste, and impacts would be less than significant.

5.4.8 WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire severity zones, would the project:



- Threshold a:*** *Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?*
- Threshold b:*** *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*
- Threshold c:*** *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*
- Threshold d:*** *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

The State Responsibility Area (SRA) is the land where the State of California is financially responsible for the preservation and suppression of wildfires. The SRA does not include lands within city boundaries or in federal ownership; therefore, the Project site does not have the potential to be in an SRA. According to CalFire’s Fire Hazard Severity Zone Map, the Project site is not listed in or near a state responsibility area or land classified as very high fire hazard severity zone (CalFire, 2024). Additionally, according to the City’s General Plan EIR, the City of Manteca is not categorized as a very high fire hazard severity zone (City of Manteca, 2023a). Therefore, no impacts associated to wildfire are anticipated.



6.0 ALTERNATIVES

6.1 INTRODUCTION

CEQA Guidelines Section 15126.6(a) describes the scope of analysis that is required when evaluating alternatives to proposed projects, as follows:

An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

As discussed in Draft EIR Section 4.0, *Environmental Analysis*, the Project would result in significant adverse environmental effects associated with GHG emissions that cannot be mitigated to below levels of significance after the implementation of feasible mitigation measures. The Project's significant and unavoidable impacts are summarized below in Section 6.1.2.

6.1.1 PROJECT OBJECTIVES

The fundamental purpose and goal of the Project is to accomplish the orderly development of an appropriately zoned and designated warehouse building in the City of Manteca while also contributing to increased employment opportunities within the area. The Project objectives have been refined throughout the planning and design process for the Project and are listed below:

- A. Create a professional, well-maintained and attractive environment for the development of a warehouse building consistent with the underlying zoning adjacent to nearby transportation infrastructure such as the State Route-99, State Route-120, and the Union Pacific Railroad.
- B. Provide the entitlements and framework for redevelopment of the site with a Class "A" warehouse and office building that is responsive to local and regional trade demands.
- C. Provide development that will enhance the City's economic well-being and employment opportunities for community residents.
- D. Facilitate a project that provides goods to the regional economy.



6.1.2 SUMMARY OF THE PROPOSED PROJECT'S SIGNIFICANT IMPACTS

As discussed in Draft EIR Section 4.0, *Environmental Analysis*, the Project would result in significant adverse environmental effects that cannot be mitigated to below levels of significance after the implementation of Project design features, mandatory regulatory requirements, and feasible mitigation measures.

- Greenhouse Gas (GHG) Emissions: Project-related GHG emissions would total approximately 6,469.73 MTCO₂e/yr. The Project will result in approximately 1,134.59 MTCO₂e/yr from construction, area, energy, water usage, waste, refrigerants, stationary sources, and on-site equipment. In addition, the Project has the potential to result in an additional 5,335.14 MTCO₂e/yr from mobile sources if the assumption is made that all of the vehicle trips to and from the Project are “new” trips resulting from the development of the Project. Neither the City of Manteca nor the Project Applicant have regulatory authority to control mobile source (tailpipe) emissions, and no feasible mitigation measures exist that would reduce GHG emissions to levels that are less-than-significant; thus, these emissions are considered significant and unavoidable.

6.2 ALTERNATIVES UNDER CONSIDERATION

CEQA Guidelines Section 15126.6(e) requires that an alternative be included that describes what would reasonably be expected to occur on the property in the foreseeable future if the Project were not approved, based on current plans and consistent with available infrastructure and community services (i.e., “no project” alternative). For the alternatives analysis in this Draft EIR, a “No Project/No Development Alternative” was evaluated. The No Project/No Development Alternative assumes that the site remains vacant. Additionally, two other alternatives were selected, the Reduced Intensity Alternative and the No Project/Existing General Plan and Zoning Alternative.

6.2.1 NO PROJECT/NO DEVELOPMENT ALTERNATIVE

The No Project/No Development Alternative assumes that no development or improvements would occur on the Project site and the entire 14.83-acre site would remain vacant. Under this alternative, no improvements would be made to the Project site and none of the Project’s internal parking, utility, and other infrastructure improvements would occur. This alternative is required by CEQA Guidelines Section 15126.6(e)(3)(B) to compare the environmental effects of the Project with an alternative that would leave the Project site in its existing condition (as described in Draft EIR Section 2.0).

6.2.2 REDUCED INTENSITY ALTERNATIVE

The Reduced Intensity Alternative would consider the development of the Project site with a 15 percent reduction in building square footage, in order to reduce vehicle and truck trips and significant impacts associated with GHG. Under this alternative, a total of 246,032 sf of industrial uses would be constructed, resulting in a reduction of 43,417 sf from the proposed building. Although the proposed building would be reduced, the development impact area would generally remain the same as the



Project. Access to the site would be similar to the Project with a proportional reduction in the number of parking spaces.

6.2.3 NO PROJECT/EXISTING GENERAL PLAN AND ZONING ALTERNATIVE

The No Project/Existing General Plan and Zoning Alternative would consider the development of the Project site with a use that conforms to the existing zoning standards for the Project site, specifically the BIP (Business Industrial Park) zone for Manufacturing, small scale use. Under this alternative, a total of approximately 175,000 sf of manufacturing uses would be constructed.¹ Access to the site would be the same as the Project. Assuming all manufacturing uses for the proposed building, the No Project/Existing Zoning Alternative would generate approximately 862 daily trips resulting in an increase of 248 daily trips compared to the Project. The manufacturing use would generate 79 daily truck trips, a decrease of 138 truck trips compared to the Project. Trip generation under the ITE, Manufacturing (Code 140) would generate more trips compared to the trip generation used for the Project which included a blended rate using (157) High-Cube Cold Storage rate for the daily traffic, and the (150) General Warehouse rate for the peak hour traffic. This alternative was selected as required by CEQA Guidelines Section 15126.6(e)(3)(A) to compare the environmental effects of the Project with an alternative that would allow the continuation of uses permitted by the City's General Plan and Zoning.

6.3 ALTERNATIVES CONSIDERED AND REJECTED

An EIR is required to identify any alternatives that were considered by the City but were rejected as infeasible. Factors described by CEQA Guidelines Section 15126.6 in determining whether to exclude alternatives from detailed consideration in the EIR include: a) failure to meet most of the basic project objectives, b) infeasibility, or c) inability to avoid significant environmental impacts. With respect to the feasibility of potential alternatives to the Project, CEQA Guidelines Section 15126.6(f)(1) notes:

“Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries...and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site...”

In determining an appropriate range of alternatives to be evaluated in this EIR, a number of possible alternatives were initially considered and, for a variety of reasons, rejected. Pursuant to Section 15126.6(c) of the CEQA guidelines, alternatives were rejected because: 1) they failed to meet most of the basic objectives of the Project, 2) they would not avoid significant environmental impacts, or 3) they were considered infeasible to construct or operate. A summary of the alternatives that were considered but rejected are described below.

¹ Square footage reduced from Project to account for addition of parking spaces required (approximately 188 parking spaces) per City of Manteca Municipal Code 17.52.050: 1/500 sf; or 100 spaces plus 1/1,000 sf for area between 50,000 to 100,000 sf; or 150 spaces plus 1/2,000 sf for area over 100,000 sf



6.3.1 ALTERNATIVE SITES

CEQA requires that the discussion of alternatives focus on alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effects of the project. The key question and first step in the analysis is whether any of the significant effects of the project would be avoided or substantially lessened by developing the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR (CEQA Guidelines Section 15126[5][B][1]). In addition, an alternative site need not be considered when implementation is “remote and speculative,” such as when the alternative site is beyond the control of a project applicant.

Given the size and type of the proposed development, a similarly sized project and land use elsewhere in the City of Manteca would result in the same or greater project-level and cumulative GHG emissions. Significant and unavoidable regional GHG emission impacts of the Project relate primarily to mobile emissions during operation and are not site specific, therefore, relocation of the Project would not substantially reduce these impacts. Therefore, the analysis of an alternative site for the Project is neither meaningful nor necessary because the significant and unavoidable impacts resulting from the Project would not be avoided or substantially lessened by its implementation in an alternate location.

The Project proposes to develop an approximately 14.83-acre site with approximately 289,449 sf industrial building. The Project Applicant has ownership and control over the Project site, and the Project site’s location in proximity to SR-120, which provides direct access to the regional transportation network. The Project is also consistent with the City’s General Plan and zoning designation and adjacent existing industrial development.

Similarly, there are no existing, developed sites for sale that are a similar size as the Project site within close proximity to the key freeway infrastructure and that could reasonably be controlled by the Project Applicant for the purpose of developing the Project. Furthermore, the Project Applicant does not hold ownership control over any other adequately sized parcels of land in or near the Project site that could be used as an alternative location for the Project. CEQA does not require sites that are not owned by the landowner or that could not be reasonably acquired by the landowner to be considered as an alternative to the Project.

Therefore, because an alternative location is not available that would avoid or substantially lessen the significant environmental effects of the Project, and because the Project Applicant does not have ownership control over, and cannot reasonably obtain ownership control over, any other parcels of land of adequate size in the jurisdiction of the City that could accommodate the Project, an alternative location alternative is not required to be analyzed. Accordingly, this alternative is not further considered in the Draft EIR.



6.3.2 ALTERNATIVES TO ELIMINATE SIGNIFICANT AND UNAVOIDABLE GHG EMISSIONS IMPACTS

The Project would result in a significant and unavoidable impact due to the exceedance of the GHG emission significance threshold of 3,000 MTCO₂e/yr, as determined in Section 4.6, *Greenhouse Gas Emissions*, of this Draft EIR. The source of GHG emissions is mainly due to mobile source emissions from truck trips, which account for approximately 5,335.14 MTCO₂e/yr or 86% attributed to mobile sources. The only way to reduce the GHG emissions impact to less than significant for this specific project and allow for similar industrial warehouse uses, consistent with the City's zoning, would be to reduce the building size and associated total daily truck trips. To reduce the Project-related GHG emissions from 6,469.73 MTCO₂e/yr below the significance threshold of 3,000 MTCO₂e/yr, the Project would need to be reduced by 54%, resulting in an approximate 133,146.54 sf building, which represents a proportional decrease in automobile and truck trips and building square footage. A 54% reduction of the Project would not fully support the Project's main objectives including the following

- Create a professional, well-maintained and attractive environment for the development of a warehouse building consistent with the underlying zoning adjacent to nearby transportation infrastructure such as the State Route-99, State Route-120, and the Union Pacific Railroad.
- Provide the entitlements and framework for redevelopment of the site with a Class "A" warehouse and office building that is responsive to local and regional trade demands.
- Provide development that will enhance the City's economic well-being and employment opportunities for community residents.
- Facilitate a project that provides goods to the regional economy.

6.4 ANALYSIS OF ALTERNATIVES

The City has identified the following alternatives as a range of reasonable alternatives to the Project in accordance with CEQA Guidelines Section 15126.6. These alternatives are described in more detail and their respective potential level of environmental effects has been compared to the Project's environmental effects.

The following discussion compares the impacts of each alternative considered by the City with the impacts of the Project, as detailed in Section 4.0, *Environmental Analysis*, of this EIR. Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), CEQA Guidelines Section 15126.6(c) requires that the discussion of alternatives focus on alternatives which are capable of avoiding or substantially lessening the significant effects of the Project. Therefore, the analysis provided herein focuses on a comparison of the Project's significant impacts to the level of impact that would occur under each evaluated alternative. The Project's significant and unavoidable impacts fall under the topic of transportation. Although the Project's less-than-significant impacts also are compared to the alternatives evaluated herein, the emphasis of the comparative discussion in this analysis relates to the



significant impacts of the Project that require mitigation as required by CEQA. A conclusion is provided for each significant impact of the Project as to whether the alternative results in one of the following: (1) reduction or elimination of the Project's impact, (2) a greater impact than would occur under the Project, (3) the same impact as the Project, or (4) a new impact in addition to the Project's impacts.

Table 6-1, *Comparison of Alternatives and Project-related Environmental Impacts*, at the end of this Section compares the significant impacts of the Project with the level of impact that would be caused by each of the alternatives evaluated herein. Table 6-2, *Alternatives Attainment of Project Objectives*, identifies the ability of each alternative to meet the fundamental purpose and basic objectives of the Project, listed above under Section 6.1.1, *Project Objectives*.

6.4.1 NO PROJECT/NO DEVELOPMENT ALTERNATIVE

The No Project/No Development Alternative assumes that no development or improvements would occur on the Project site and the entire 14.83-acre site would remain vacant. Under this alternative, no improvements would be made to the Project site and none of the Project's internal parking, utility, and other infrastructure improvements would occur. This alternative is required by CEQA Guidelines Section 15126.6(e)(3)(B) to compare the environmental effects of the Project with an alternative that would leave the Project site in its existing condition (as described in Draft EIR Section 2.0).

A. Air Quality

The No Project/No Development Alternative would avoid the introduction of new potential sources of short-term (construction) and long-term (operational) air pollutant emissions that would occur during the implementation of the Project. As such, all of the Project's short- and long-term air quality impacts would be avoided under this alternative, because no construction and operational activities would occur at the Project site. Accordingly, although the Project construction would result in less than significant impacts and Project operation would result in less than significant impacts with mitigation incorporated associated with air quality, no impacts would occur under this alternative.

B. Biological Resources

The No Project/No Development Alternative would leave the property in its existing condition. Under this alternative, impacts would be less than the Project because the Project site would not be disturbed compared to the permanent disturbance that would occur as a result of the Project's proposed development. Overall, although the Project would result in less than significant biological resources impacts with incorporation of mitigation measures, the No Project/No Development Alternative would eliminate the Project's potential biological resource impacts that could occur during construction activities to nesting birds, and no mitigation would be required; therefore, there would be no impact to biological resources.



C. Cultural Resources

Based on a records search conducted as part of the Cultural Resources Assessment (*Technical Appendix D* of this EIR), no previously recorded cultural resources have been recorded within a 0.25-mile radius of the Project site. Additionally, the pedestrian survey of the Project site resulted in the identification of a single historic-era wedge-shaped yellow brick marked “CARNEGIE,” and other isolated debris which is likely left over from the removal of the sugar mill. Isolated archaeological artifacts are not eligible for listing in CRHR because they lack context and association with other archaeological materials. Therefore, AE-4603-ISO-1 is not considered a historical resource eligible for listing in the CRHR. Accordingly, there are no known significant historic resources, archaeological resources, or human remains identified on the Project site under existing conditions.

However, due to the presence of cultural resources documenting prehistoric and historic use of this property, and the poor ground visibility during the survey, there is a potential to impact buried prehistoric archaeological and historic resources during ground disturbance activities (i.e., grading and excavation activities). Accordingly, although the Project would result in less than significant cultural resources impacts with mitigation measures incorporated, the No Project/No Development Alternative would eliminate the Project’s potential impacts to cultural resources, and no mitigation would be required; therefore, there would be no impact to cultural resources.

D. Energy

Under the No Project/No Development Alternative, the Project site would remain vacant; therefore, the site would not require any additional near-term or long-term energy resources. Accordingly, although the Project would result in less than significant impacts associated with energy, the No Project/No Development Alternative would have no impact related to energy use.

E. Geology and Soils

The No Project/No Development Alternative would result in no grading of the Project site; therefore, no impacts to geology or soils would occur. No known paleontological resources were identified as occurring within the Project site under existing conditions. However, the Modesto Formation underlying the Project site are considered to have high paleontological sensitivity, and the Project would result in less than significant impacts with mitigation incorporated. The No Project/No Development Alternative would avoid potential impacts associated with unearthing previously undiscovered paleontological resources during grading activities; therefore, this alternative has no potential to impact subsurface resources that may exist in undisturbed soils beneath the ground surface. Accordingly, this alternative would eliminate the Project’s potential paleontological resource impacts and no mitigation would be required; therefore; there would be no impact to geology and soil resources.

F. Greenhouse Gas Emissions

Under the No Project/No Development Alternative, no development would occur on the Project site; therefore, there would be no potential sources of near-term or long-term GHG emissions. Selection of



this alternative would eliminate the Project's significant and unavoidable effects associated with GHG emissions and no impacts associated with GHG emissions would occur under this alternative.

G. Hazards and Hazardous Materials

Because no development would occur under the No Project/No Development Alternative, no impacts related to hazards or hazardous materials would occur. Overall, although the Project would result in less than significant hazards and hazardous materials impacts with incorporation of mitigation measures, the No Project/No Development Alternative would eliminate the Project's potential impacts that could occur during construction activities to impacted soils, and no mitigation would be required; therefore, there would be no impact hazards or hazardous materials.

H. Hydrology and Water Quality

The No Project/No Development Alternative would result in no grading or development of the property; therefore, the existing drainage pattern would remain the same and no impacts to hydrology or water quality would occur. Moreover, under the No Project/No Development Alternative, drainage improvements or water quality features would not be installed and runoff would continue to flow in a direction as it does under existing conditions. The underground infiltration basin or bioretention planter proposed, which remove pollutants from runoff and filter the water to meet water quality standards, would not occur. Therefore, water quality impacts, including erosion and sedimentation, would be greater under this alternative because the Project site would not receive the benefits from the stormwater drainage and water quality filtration features that would be constructed by the Project. This alternative would result in reduced impacts associated with hydrology and water quality when compared to the Project, which were determined to be less than significant.

I. Land Use and Planning

The No Project/No Development Alternative would not result in any new development that would directly or indirectly result in environmental impacts due to a conflict with an existing land use plan. In addition, the No Project/No Development Alternative would not result in any new development that would cause a significant environmental impact due to a conflict with a land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Accordingly, although the Project would result in less than significant impacts associated with land use and planning, no impacts associated with land use and planning would occur under this alternative.

J. Noise

Because no development would occur on the Project site under this alternative, no new sources of on-site stationary noise or off-site traffic-related noise generated would occur; therefore, the No Project/No Development Alternative would not contribute to the less than significant with mitigation incorporated incremental increase in area-wide noise levels that would occur under Project construction and operation. The No Project/No Development Alternative also would not result in any development that would generate any excessive groundborne vibration or groundborne noise levels,



and it would not result in any development exposing people residing or working in the project area to excessive noise levels. Accordingly, although the Project would result in less than significant noise impacts with mitigation incorporated, no impacts associated with noise would occur under this alternative.

K. Transportation

Under the No Project/No Development Alternative, no new development would occur on the Project site and no traffic would be generated at the Project site. Therefore, this alternative would have no impacts related to conflict with a program, plan, ordinance, or policy addressing the circulation system; vehicle miles traveled; hazards due to a design feature; or emergency access. Although the Project would result in less than significant transportation impacts, the No Project/No Development Alternative would eliminate the Project's less than significant transportation impacts and no impacts would occur.

L. Tribal Cultural Resources

Based on Native American consultation, there is a potential to encounter tribal cultural resources within the Project site during ground-disturbing construction activities on the site. Project impacts to tribal cultural resources were determined to be less than significant with mitigation. The No Project/No Development Alternative would leave the Project site in its existing condition; no additional grading or disturbance of soil would occur. As such, this alternative would not result in impacts to undiscovered tribal cultural resources. Accordingly, this alternative would have no impacts related to tribal cultural resources and mitigation would not be required; therefore, there would be no impact to tribal cultural resources.

M. Conclusion

1. Avoid or Substantially Lessen the Significant Impacts of the Project

The No Project/No Development Alternative would result in no physical environmental impacts to the Project site. All significant impacts of the Project related to construction activities would be eliminated by the selection of the No Project/No Development Alternative. The No Project/No Development Alternative would result in less impacts to all environmental topics except hydrology and water quality which would result in greater impacts when compared to the Project. Additionally, this alternative would eliminate the Project's significant and unavoidable impact related to GHG emissions. However, this alternative would not receive the environmental benefits from the implementation of stormwater drainage and water quality filtration features that would be constructed by the Project.

2. Attainment of Project Objectives

The No Project/No Development Alternative would fail to meet all the Project Objectives, as described in Section 6.1.1.



6.4.2 REDUCED INTENSITY ALTERNATIVE

The Reduced Intensity Alternative would consider the development of the Project site with a 15 percent reduction in building square footage, in order to reduce vehicle and truck trips and significant impacts associated with GHG. Under this alternative, a total of 246,032 sf of industrial uses would be constructed, resulting in a reduction of 43,417 sf from the proposed building. Although the proposed building would be reduced, the development impact area would generally remain the same as the Project. Access to the site would be similar to the Project with a proportional reduction in the number of parking spaces.

A. Air Quality

The Reduced Intensity Alternative would have a reduced amount of building square footage. The intensity of air emissions and fugitive dust from site preparation and construction activities would be the same as the Project on days with maximum construction activities. Construction-related air quality impacts would be reduced overall due to the shortened construction schedule. Regional and localized construction-related impacts would be less than the Project, which has less than significant impacts, and would remain less than significant. Implementation of the Reduced Intensity Alternative would also result in less impacts from operational-related air quality that would occur from implementation of the Project. The Reduced Intensity Alternative would reduce the number of vehicle trips and associated VMT by 15 percent, which is calculated based on square footage. Under the Project, operational TAC emissions would exceed the SJVAPCD cancer risk threshold and are significant. With implementation of Mitigation Measures MMs 4.1-1 through 4.1-3, the Project's operational TAC emissions would not exceed SJVAPCD cancer risk significance thresholds. Under the Reduced Intensity Alternative, based on the 15% reduction in square footage, the alternative would still exceed the SJVAPCD cancer risk threshold but would be less than the Project without mitigation incorporated. With implementation of Mitigation Measures MMs 4.1-1 through 4.1-3, the Reduced Intensity Alternative's operational TAC emissions would not exceed SJVAPCD cancer risk thresholds. Therefore, impacts to air quality from the Reduced Intensity Alternative would be reduced to those associated with the Project but would remain less than significant with mitigation incorporated.

B. Biological Resources

The Reduced Intensity Alternative would cover the same impact area as the Project site. Under this alternative, impacts to nesting migratory birds would continue to occur and mitigation measures would be implemented to reduce impacts to such resources to a less than significant level. Therefore, impacts would be similar compared to the Project and less than significant with mitigation incorporated.

C. Cultural Resources

The Reduced Intensity Alternative would have the same impact area and no known archaeological resources or human remains were identified within the Project site under existing conditions. One artifact was found and recorded during the pedestrian survey. However, it is not considered a historical resource eligible for listing in the CRHR. Given the presence of previously-identified archaeological

and historic resources within the Project vicinity, there is a potential for the Project site to contain subsurface archaeological and historic resources. Like the Project, mitigation measures would be required to reduce potential impacts to less than significant. Therefore, impacts to cultural resources from the Reduced Intensity Alternative would be similar to those associated with the Project.

D. Energy

Under the Reduced Intensity Alternative, the total building square footage would be reduced; thus, building energy demand would also be reduced by approximately 15 percent due to a proportional decrease in building energy consumption. Additionally, the reduction in building square footage would result in reduced vehicle trips associated with this alternative, which would reduce fuel consumption. Construction and operational activities associated with this alternative would have reduced energy demand compared to the Project. Impacts would remain less than significant.

E. Geology and Soils

Grading and development of the Project site would still occur under the Reduced Intensity Alternative; therefore, impacts to geology and soils would be similar to those that would be generated from the Project. This alternative would result in a similar potential to impact undiscovered buried paleontological resources during grading, as the Project. However, like the Project, mitigation measures would be required to reduce potential impacts to less than significant. Therefore, impacts to paleontological resources from the Reduced Intensity Alternative would be similar to those associated with the Project.

F. Greenhouse Gas Emissions

As previously discussed, Project-related GHG emissions would exceed the applicable significance thresholds and would result in a cumulatively-considerable impact. All feasible mitigation measures have been incorporated (Refer to Mitigation Measures MM 4.1-1 through 4.1-3 and Mitigation Measures MM 4.6-1 through 6.3-2); however, these mitigation measures would not reduce the Project's GHG emissions to levels that are less than significant.

The Reduced Intensity Alternative would reduce the building square footage by 15 percent resulting in an approximate 15 percent reduction in vehicle trips and associated emissions. Therefore, implementation of the Reduced Intensity Alternative would result in fewer impacts from construction-related GHG emissions that would occur from Project implementation. The Project would result in a net increase of approximately 6,469.73 MTCO₂e/yr, which would be proportionally reduced by approximately 15 percent to 5,499.27 MTCO₂e/yr under the Reduced Intensity Alternative. This alternative would still result in significant and unavoidable GHG impacts, since it would exceed the threshold of 3,000 MTCO₂e per year. Therefore, GHG emissions impacts would remain significant and unavoidable, but reduced compared to the Project.



G. Hazards and Hazardous Materials

The Reduced Intensity Alternative would develop the Project site for the same uses, and therefore the same type of hazardous materials typically used for construction and operation of the Project would be used under the Reduced Intensity Alternative. Similarly, the use and storage of hazardous materials would be regulated by the same federal, State, and local laws and permitting requirements as which would occur with the Project. Similar to the Project, the Reduced Intensity Alternative would result in less than significant hazards and hazardous materials impacts with incorporation of mitigation measures due to the potential impacts that could occur during grading of impacted soils.

H. Hydrology and Water Quality

The Reduced Intensity Alternative would reduce the total building square footage; however, the area of impervious surfaces would be similar compared to the Project. Therefore, this alternative would result in similar runoff and potential for impacts to drainage, erosion, and water quality. Like the Project, this alternative would introduce new sources of water pollutants from construction and operation activities. Additionally, this alternative would be required to include storm drain improvements, source control, site design, and treatment control BMPs. Therefore, the Reduced Intensity Alternative would result in similar impacts to hydrology and water quality as the Project and would be less than significant.

I. Land Use and Planning

The Reduced Intensity Alternative would not require a General Plan amendment or zone change to implement the development. Like the Project, this Alternative would not conflict with the SJCOG's 2022 RTP/SCS policies, the City's General Plan and Municipal Code. Therefore, the Reduced Intensity Alternative would result in a less than significant impact related to land use and planning, similar to the Project.

J. Noise

Construction and operation noise impacts would be reduced under the Reduced Intensity Alternative because this alternative would decrease the building size by approximately 43,417 sf. Although construction of this alternative would generate the same peak noise volumes and similar type and volume of construction noise as the Project, the length of time of construction and the associated noise would be marginally shorter. Operational noise would also be reduced under this alternative as traffic-generated and stationary noise sources would decrease in relation to the reduction in industrial warehousing square footage. Noise impacts from the Reduced Intensity Alternative would remain less than significant with mitigation incorporated but reduced when compared to the Project.

K. Transportation

Construction and operation-related vehicle truck trips would be reduced under the Reduced Intensity Alternative and would decrease by approximately 15 percent. Trip generation is based on land uses and its associated square footage. This would result in a corresponding decrease in overall VMT and



proportional decrease in employees. Therefore, the resulting VMT per employee would be similar to the Project since it is based on Project generated VMT divided by number of employees. As a result, the Reduced Intensity Alternative would have similar impacts as the Project and impacts would be less than significant.

L. Tribal Cultural Resources

The Reduced Intensity Alternative would result in a similar potential to adversely affect buried tribal cultural resources on the Project site as the Project. Like the Project, mitigation measures would be required to reduce potential impacts to less than significant. Therefore, potential impacts to tribal cultural resources under the Reduced Intensity Alternative would be similar to those associated with the Project.

M. Conclusion

1. Avoid or Substantially Lessen the Significant Impacts of the Project

The Reduced Intensity Alternative would result in reduced impacts related to air quality, energy, greenhouse gas emissions, and noise due to the reduction in square footage and associated vehicular trips. However, significant and unavoidable impacts related to greenhouse gas emissions would continue to occur from implementation of this alternative. Impacts related to biological resources, cultural resources, geology and soils, hazardous and hazardous materials, hydrology and water quality, land use and planning, transportation, and tribal cultural resources would be similar to the Project.

2. Attainment of Project Objectives

The Reduced Intensity Alternative would only partially meet the following Project's objectives, as described in Section 6.1.1.

- A. Create a professional, well-maintained and attractive environment for the development of a warehouse building consistent with the underlying zoning adjacent to nearby transportation infrastructure such as the State Route-99, State Route-120, and the Union Pacific Railroad.
- B. Provide the entitlements and framework for redevelopment of the site with a Class "A" warehouse and office building that is responsive to local and regional trade demands.
- C. Provide development that will enhance the City's economic well-being and employment opportunities for community residents.

Under the Reduced Intensity Alternative, the proposed building would not be able to maximize the use of the Project site for its underlying zoning. Additionally, the 15 percent reduction would reduce the amount of potential employment opportunities for community residents; therefore, the building would not be fully responsive to future local and regional trade demands. The Reduced Intensity Alternative



would meet the following Project objective as the operation and nature of the site would remain the same as the Project.

- D. Facilitate a project that provides goods to the regional economy.

6.4.3 NO PROJECT/EXISTING GENERAL PLAN AND ZONING ALTERNATIVE

The No Project/Existing General Plan and Zoning Alternative would consider the development of the Project site with a use that conforms to the existing zoning standards for the Project site, specifically the BIP (Business Industrial Park) zone for Manufacturing, small scale use. Under this alternative, a total of approximately 175,000 sf of manufacturing uses would be constructed. Access to the site would be the same as the Project. Assuming all manufacturing uses for the proposed building, the No Project/Existing Zoning Alternative would generate approximately 862 daily trips resulting in an increase of 248 daily trips compared to the Project.² The manufacturing use would generate 79 daily truck trips, a decrease of 138 truck trips compared to the Project. This alternative was selected as required by CEQA Guidelines Section 15126.6(e)(3)(A) to compare the environmental effects of the Project with an alternative that would allow the continuation of uses permitted by the City's General Plan and Zoning.

A. Air Quality

As with the Project, construction of the No Project/Existing General Plan and Zoning Alternative has the potential to create air quality impacts through the use of heavy-duty construction equipment and through vehicle trips generated from construction workers traveling to and from the Project site. In addition, fugitive dust emissions would result from demolition and construction activities. Construction emissions can vary substantially from day to day, depending on the level of activity, the specific type of operation and, for dust, the prevailing weather conditions. Under the No Project/Existing General Plan and Zoning Alternative, the overall amount of building construction would be reduced in comparison to the Project because the building size would be reduced by 114,449 sf. The intensity of air emissions and fugitive dust from site preparation and construction activities would be the same as the Project on days with maximum construction activities. Construction-related air quality impacts would be reduced overall due to the shortened construction schedule. Because maximum daily conditions are used for measuring impact significance, regional and localized impacts on these days would be less than the Project, which has less than significant impacts but would remain less than significant.

Because the No Project/Existing General Plan and Zoning Alternative would result in less building floor area than the Project, non-mobile source air quality emissions would be less as compared to the Project. As discussed above, the No Project/Existing General Plan and Zoning Alternative would result resulting in an increase of 248 daily trips. The manufacturing use would generate 79 daily truck trips,

² Trip generation under the ITE, Manufacturing (Code 140) would generate more trips compared to the trip generation used for the Project which included a blended rate using (157) High-Cube Cold Storage rate for the daily traffic, and the (150) General Warehouse rate for the peak hour traffic.



a decrease of 138 truck trips compared to the Project. Therefore, mobile source operational air quality emissions would be less compared to the Project due to the decrease in heavy truck trip traffic. In total, the No Project/Existing General Plan and Zoning Alternative would have less operational regional air quality emissions impacts but would remain less than significant with mitigation.

Because heavy truck trip traffic would decrease by 138 truck trips between the No Project/Existing General Plan and Zoning Alternative and the Project, this Alternative would result in less impacts related to carcinogenic and non-carcinogenic health risk hazards. However, this alternative would still exceed the SJVAPCD cancer risk threshold but would be less than the Project without mitigation incorporated. With implementation of Mitigation Measures MMs 4.1-1 through 4.1-3, the Reduced Intensity Alternative's operational TAC emissions would not exceed SJVAPCD cancer risk thresholds. Therefore, impacts to air quality from the Reduced Intensity Alternative would be reduced to those associated with the Project but would remain less than significant with mitigation incorporated.

Like the Project, the No Project/Existing General Plan and Zoning Alternative would generate odors during short-term construction activities (e.g., diesel equipment exhaust, architectural coatings, asphalt) and long-term operation (e.g., diesel exhaust). However, and similar to the Project, these odors would occur intermittently, be of short-term duration, and would not be substantial. Impacts would be less than significant with compliance with mandatory regulatory requirements, similar to the Project.

B. Biological Resources

The No Project/Existing General Plan and Zoning Alternative would involve the same development impact area as the Project. Therefore, this alternative would result in the same potential temporary impacts to nesting birds as the Project, and mitigation measures would be implemented to reduce impacts to such resources to a less than significant. Therefore, impacts would be similar compared to the Project and less than significant with mitigation incorporated.

C. Cultural Resources

The No Project/Existing General Plan and Zoning Alternative would have the same impact area and no known significant historic resources, archaeological resources, or human remains identified on the Project site under existing conditions. One artifact was found and recorded during the pedestrian survey. However, it is not considered a historical resource eligible for listing in the CRHR. Given the presence of previously-identified archaeological and historic resources within the Project vicinity, there is a potential for the Project site to contain unidentified surface or subsurface archaeological and historic resources. Like the Project, mitigation measures would be required to reduce potential impacts to less than significant. Therefore, impacts to cultural resources from the No Project/Existing General Plan and Zoning Alternative would be similar to those associated with the Project.

D. Energy

Under the No Project/Existing General Plan and Zoning Alternative, the total building square footage would be reduced, but the amount of daily trips would be increased. Therefore, construction activities



and facility energy demands during operation (energy consumed by building operations and site maintenance activities) associated with this alternative would be reduced compared to the Project. However, transportation fuel demands (fuel consumed by passenger car accessing the Project site) would increase under this alternative due to the increase in vehicle trips. On balance, operational activities associated with this alternative would have similar or slightly increased energy demand compared to the Project and impacts would remain less than significant.

E. Geology and Soils

Grading and development of the Project site would still occur under the No Project/Existing General Plan and Zoning Alternative, and therefore, impacts to geology and soils would be similar to those that would be generated from the Project. This alternative would result in a similar potential to impact undiscovered buried paleontological resources during grading as the Project. However, like the Project, mitigation measures would be required to reduce potential impacts to less than significant. Therefore, impacts to paleontological resources from the No Project/Existing General Plan and Zoning Alternative would be similar to those associated with the Project.

F. Greenhouse Gas Emissions

The No Project/Existing General Plan and Zoning Alternative would have less building square footage but the same development impact area as the Project. Therefore, implementation of the No Project/Existing General Plan and Zoning Alternative would result in less impacts from construction-related GHG emissions than what would occur from implementation of the Project.

As previously discussed, Project-related GHG emissions would exceed the 3,000 MTCO₂e/year significance threshold for GHG emissions and would result in a cumulatively-considerable impact. No feasible mitigation measures exist that would reduce the Project's GHG emissions to levels that are less than significant.

Assuming all manufacturing uses for the proposed building, the No Project/Existing Zoning Alternative would generate approximately 862 daily trips resulting in an increase of 248 daily trips compared to the Project. However, the manufacturing use would generate 79 daily truck trips, a decrease of 138 truck trips compared to the Project. Due to the increase in energy for the manufacturing use, the No Project/Existing General Plan and Zoning Alternative would result similar GHG emissions, compared to the Project. Similar to the Project, the alternative's GHG emissions would exceed the threshold of 3,000 MTCO₂e/year. Therefore, GHG emissions impacts would remain significant and unavoidable and similar to the Project.

G. Hazards and Hazardous Materials

The No Project/Existing General Plan and Zoning Alternative would develop the Project site for the same uses, and therefore the same type of hazardous materials typically used for construction and operation of the Project would be used under the No Project/Existing General Plan and Zoning Alternative. Similarly, the use and storage of hazardous materials would be regulated by the same



federal, state, and local laws and permitting requirements as would occur with the Project. Similar to the Project, the No Project/Existing General Plan and Zoning Alternative would result in less than significant hazards and hazardous materials impacts with incorporation of mitigation measures due to the potential impacts that could occur during grading of impacted soils.

H. Hydrology and Water Quality

The No Project/Existing General Plan and Zoning Alternative would reduce the total building square footage; however, the area of impervious surfaces would be similar compared to the Project. Therefore, this alternative would result in similar runoff and potential for impacts to drainage, erosion, and water quality. Like the Project, this alternative would introduce new sources of water pollutants from construction and operation activities. Additionally, this alternative would be required to include storm drain improvements, source control, site design, and treatment control BMPs. Therefore, the No Project/Existing General Plan and Zoning Alternative would result in similar impacts to hydrology and water quality as the Project and would be less than significant.

I. Land Use and Planning

The No Project/Existing General Plan and Zoning Alternative would not require a General Plan amendment or zone change to implement the development. Like the Project, this Alternative would not conflict with the SJCOG's 2022 RTP/SCS policies, the City's General Plan and Municipal Code. Therefore, the No Project/Existing General Plan and Zoning Alternative would result in a less than significant impact related to land use and planning and similar compared to the Project.

J. Noise

Construction noise duration would be reduced under the No Project/Existing General Plan and Zoning Alternative due to the reduction of building square footage by 114,449 sf and shorter construction schedule. On-site construction activities and the associated construction noise and vibration levels during maximum activity days, which are used for measuring impact significance, would be similar to those of the Project. The No Project/Existing General Plan and Zoning Alternative would result in less than significant construction-related noise impacts similar to the Project's less than significant impacts.

Stationary operation noise would also be similar under this alternative. However, off-site traffic operational noise would be increased under this alternative as traffic-generated noise sources would increase in relation to the increase in vehicle trips. Noise impacts from the No Project/Existing General Plan and Zoning Alternative would be greater compared to the Project but remain less than significant with mitigation incorporated.

K. Transportation

The No Project/Existing General Plan and Zoning Alternative would result in an increase in vehicle trips but reduced number of employees due to the reduction in building square footage. This would result in an increase in overall VMT and VMT per employee compared to the Project. Therefore, the



No Project/Existing General Plan would have greater impacts than the Project but would remain less than significant.

L. Tribal Cultural Resources

The No Project/Existing General Plan and Zoning Alternative would result in a similar potential to adversely affect buried tribal cultural resources on the Project site as the Project. Like the Project, mitigation measures would be required to reduce potential impacts to less than significant. Therefore, potential impacts to tribal cultural resources under the No Project/Existing General Plan and Zoning Alternative would be similar to those associated with the Project.

M. Conclusion

1. Avoid or Substantially Lessen the Significant Impacts of the Project

The No Project/Existing General Plan and Zoning Alternative would result in greater impacts related to energy, noise, and transportation due to the change to manufacturing use and associated increase in vehicular trips. Air quality impacts from the No Project/Existing General Plan and Zoning Alternative would be less than the Project. Significant and unavoidable impacts related to GHG emissions would continue to occur from implementation of this alternative. Impacts related to biological resources, cultural resources, geology and soils, GHG emissions, hazardous and hazardous materials, hydrology and water quality, land use and planning, and tribal cultural resources would be similar to the Project.

2. Attainment of Project Objectives

As compared with the Project, the No Project/Existing General Plan and Zoning Alternative would not meet the following Project Objectives, as described in Section 6.1.1 and further below. The No Project/Existing General Plan and Zoning Alternative would not result in the development of a warehouse building but approximately 175,000 sf of manufacturing uses. Therefore, the No Project/Existing General Plan and Zoning Alternative would not be able to be responsive to local and regional trade demands or provide goods to the regional economy.

- A. Create a professional, well-maintained and attractive environment for the development of a warehouse building consistent with the underlying zoning adjacent to nearby transportation infrastructure such as the State Route-99, State Route-120, and the Union Pacific Railroad.
- B. Provide the entitlements and framework for redevelopment of the site with a Class “A” warehouse and office building that is responsive to local and regional trade demands.
- D. Facilitate a project that provides goods to the regional economy.

The No Project/Existing General Plan and Zoning Alternative would meet the following Project objective as the manufacturing use would provide employment opportunities for community residents.

- C. Provide development that will enhance the City’s economic well-being and employment opportunities for community residents.

6.5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA requires the identification of an environmentally superior alternative. Section 15126.6(e)(2) of the CEQA Guidelines states that, if the No Project Alternative is the environmentally superior alternative, then the EIR shall also identify an environmentally superior alternative among the other alternatives.

The No Project/No Development Alternative has the least impact to the environment because it would not involve any construction activities or industrial operations. There would be no Project or cumulative impacts related to GHG emissions. These impacts are considered significant and unavoidable for the Project. While this alternative would avoid the significant effects of the Project, it would not receive the environmental benefits from the implementation of stormwater drainage and water quality filtration features. Additionally, none of the Project Objectives would be met.

The Reduced Intensity Alternative is environmentally superior to the Project. As shown in Table 6-1, *Comparison of Alternatives and Project-related Environmental Impacts*, the Reduced Intensity Alternative would have less impacts under five of the environmental topics. The reduction in impacts is due to the fact that the use would have reduced building square footage, which would result in a reduction in construction-related impacts, including air quality, GHG emissions, energy, and noise impacts. Operational-related impacts under air quality, GHG emissions, energy, noise, and transportation impacts would decrease due to the decrease in total daily vehicle trips. This alternative would not eliminate the Project’s significant unavoidable impact related to GHG emissions. As shown on Table 6-2, *Alternatives Attainment of Project Objectives*, the Reduced Intensity Alternative would partially meet most of the Project’s objectives.

Table 6-1 Comparison of Alternatives and Project-related Environmental Impacts

| Impact Area | Project | No Project/ No Development | Reduced Intensity Alternative | No Project/Existing General Plan and Zoning Alternative |
|---------------------------------|---------|----------------------------|-------------------------------|---|
| Air Quality | | | | |
| Construction | LTS | No Impact (less) | LTS (less) | LTS (less) |
| Operation | LTS/M | No Impact (less) | LTS/M (less) | LTS/M (less) |
| Biological Resources | LTS/M | No Impact (less) | LTS/M (similar) | LTS/M (similar) |
| Cultural Resources | LTS/M | No Impact (less) | LTS/M (similar) | LTS/M (similar) |
| Energy | LTS | No Impact (less) | LTS (less) | LTS (greater) |
| Geology and Soils | LTS/M | No Impact (less) | LTS/M (similar) | LTS/M (similar) |
| GHG Emissions | SU | No Impact (less)* | SU (less) | SU (similar) |
| Hazards and Hazardous Materials | LTS/M | No Impact (less) | LTS/M (similar) | LTS/M (similar) |
| Hydrology and Water Quality | LTS | No Impact (greater) | LTS (similar) | LTS (similar) |
| Land Use and Planning | LTS | No Impact (less) | LTS (similar) | LTS (similar) |



| Impact Area | Project | No Project/ No Development | Reduced Intensity Alternative | No Project/Existing General Plan and Zoning Alternative |
|---------------------------|---------|----------------------------|-------------------------------|---|
| Noise | | | | |
| Construction | LTS/M | No Impact (less) | LTS/M (similar) | LTS/M (similar) |
| On-Site Operations | LTS/M | No Impact (less) | LTS/M (less) | LTS/M (similar) |
| Off-Site Traffic-Related | LTS | No Impact (less) | LTS (less) | LTS (greater) |
| Transportation | LTS | No Impact (less) | LTS (less) | LTS (greater) |
| Tribal Cultural Resources | LTS/M | No Impact (less) | LTS/M (similar) | LTS/M (similar) |

LTS = Less than Significant; LTS/M = Less than Significant with Mitigation; SU = Significant and Unavoidable

* = Eliminates SU impact

** = New SU impact

Table 6-2 Alternatives Attainment of Project Objectives

| Project Objectives | No Project/ No Development | Reduced Intensity Alternative | No Project/Existing General Plan and Zoning Alternative |
|--|----------------------------|-------------------------------|---|
| A. Create a professional, well-maintained and attractive environment for the development of a warehouse building consistent with the underlying zoning adjacent to nearby transportation infrastructure such as the State Route-99, State Route-120, and the Union Pacific Railroad. | Not Met | Partially Met | Not Met |
| B. Provide the entitlements and framework for redevelopment of the site with a Class “A” warehouse and office building that is responsive to local and regional trade demands. | Not Met | Partially Met | Not Met |
| C. Provide development that will enhance the City’s economic well-being and employment opportunities for community residents. | Not Met | Partially Met | Met |
| D. Facilitate a project that provides goods to the regional economy. | Not Met | Met | Not Met |



7.0 REFERENCES

7.1 PERSONS CONTRIBUTING TO EIR PREPARATION

7.1.1 CITY OF MANTECA

City of Manteca, Development Services Department, Planning Division
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7.2 DOCUMENTS APPENDED TO THIS EIR

The following reports, studies, and supporting documentation were used in preparing the EIR and are bound separately as Technical Appendices. A copy of the Technical Appendices is available for review at the City of Manteca, Development Services Department, Planning Division, located at 1001 West Center Street, Manteca, California 95337.

Appendix A: Notice of Preparation (NOP), and Written Comments on the NOP
Appendix B1: Air Quality Impact Analysis
Appendix B2: Health Risk Assessment
Appendix C1: Biological Resources Assessment
Appendix C2: Arboricultural Inventory and Report
Appendix D: Cultural Resources Study
Appendix E: Energy Analysis
Appendix F1: Geotechnical Report
Appendix F2: Geotechnical Report Update
Appendix F3: Paleontological Assessment



- Appendix G: Greenhouse Gas Analysis
- Appendix H1: Phase I Environmental Site Assessment
- Appendix H2: Soil Management Plan
- Appendix I: Storm Water Quality Management Plan
- Appendix J: Noise Impact Analysis
- Appendix K: Traffic Analysis

7.3 DOCUMENTS INCORPORATED BY REFERENCE

The following reports, studies, and supporting documentation were used in the preparation of this EIR and are incorporated by reference within this EIR. A copy of the following reports, studies, and supporting documentation is a matter of public record and is generally available to the public at the location listed.

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