CITY OF MANTECA
ZONING CODE UPDATE
DRAFT
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT

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ACRONYMS AND OTHER ABBREVIATIONS

$\mu g/m^3$	micrograms per cubic meter
2022 Scoping Plan	2022 Scoping Plan for Achieving Carbon Neutrality
AB	Assembly Bill
bhp	brake horsepower
CALGreen	California Green Building Standards Code
CAP	Climate Action Plan
CAPCOA	California Air Pollution Control Officers Association
CAPCOA Handbook	Handbook for Analyzing Greenhouse Gas Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity: Designed for Local Governments, Communities, and Project Developers
CARB	California Air Resources Board
CCaIC	Central California Information Center
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CEQA Guidelines	California Environmental Quality Act Guidelines
CHRIS	California Historical Resources Information System
City	City of Manteca
CMU	Commercial Mixed Use
CUPA	Certified Unified Program Agency
DMU	Mixed Use Downtown Zoning District
DPM	diesel particulate matter
Draft SEIR	Draft Supplemental General Plan Update Environmental Impact Report
DW	Downtown
EIR	Environmental Impact Report
EO	Executive Order
EPA	Environmental Protection Agency
FAR	floor area ratio
GAMAQI	Guide for Assessing and Mitigating Air Quality Impact
General Plan Update	City of Manteca General Plan Update
General Plan Update EIR	City of Manteca's 2023 recirculated General Plan Update Environmental Impact Report and Revised Addendum to the General Plan Update Environmental Impact Report
GHGs	greenhouse gases
HCD	California Department of Housing and Community Development
HVAC	heating, ventilation and air conditioning
LEAP	Local Early Action Planning
MRZ	mineral resource zone
NAHC	Native American Heritage Commission
NHPA	National Historic Preservation Act

NOP	notice of preparation
OEHHA	Office of Environmental Health Hazard Assessment
PG&E	Pacific Gas & Electric Company
PM	particulate matter
PM^{10}	particulate matter with aerodynamic diameter less than 10 microns
$PM^{2.5}$	particulate matter with aerodynamic diameter less than 2.5 microns
proposed project	Revisions to Commercial Mixed Use Zoning District and New Downtown Zoning District to implement the General Plan land use designations
RHNA	Regional Housing Needs Assessment
RTP	Regional Transportation Plan
SCS	Sustainable Communities Strategy
SJCOG	San Joaquin Council of Governments
SJVAPCD	San Joaquin Valley Air Pollution Control District
SLF	Sacred Lands File
TACs	toxic air contaminants
VMT	vehicle miles traveled
Zoning Code Update	Revisions to Commercial Mixed Use Zoning District and New Downtown Zoning District to implement the General Plan land use designations

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EXECUTIVE SUMMARY

ES.1 INTRODUCTION

This summary is provided in accordance with Section 15123 of the California Environmental Quality Act Guidelines (CEQA Guidelines). As stated in Section 15123(a), "an Environmental Impact Report (EIR) shall contain a brief summary of the proposed action and its consequences. The language of the summary should be as clear and simple as reasonably practical." As required by the CEQA Guidelines, this chapter includes (1) a summary description of the proposed project, (2) a synopsis of environmental impacts and recommended mitigation measures, (3) identification of the alternatives evaluated and of the environmentally superior alternative, and (4) a discussion of the areas of controversy associated with the project.

As explained in more detail in Chapter 1, this is a Draft Supplemental EIR (Draft SEIR) that supplements the previously certified City of Manteca (City) General Plan Update EIR and Revised Addendum to the General Plan Update EIR (State Clearinghouse: 2020019010). The General Plan Update EIR and Revised Addendum to the EIR continue to have utility in addressing direct, reasonably foreseeable indirect, and cumulative impacts associated with implementing the General Plan and cited implementation actions[1] continue to apply to the implementation of the City's General Plan Update. As provided in CEQA Guidelines Section 15163, this Draft SEIR provides the information necessary to make the previous EIRs adequate for the proposed revisions to the City's Zoning Code.

The proposed project evaluated in this Draft SEIR includes revisions to the City's Zoning Code, including compliance with applicable statutory and case law, and reflects updated zoning approaches and terminology, as described below in more detail.

ES.2 PROJECT OVERVIEW

The City proposes focused revisions to the City's Zoning Code to implement the Commercial Mixed Use (CMU) and Downtown (DW) mixed-use land use designations included in the City's updated General Plan. These changes would include:

- Revisions to the existing Mixed Use Commercial Zoning District (CMU) to include zoning-level development standards, including mixed-use performance standards, building heights, setbacks, lot coverage, FAR standards, open space requirements, off-street parking requirements, and other objective standards that would give clear guidance to proposed developments.
- Creation of a new Mixed Use Downtown Zoning District (DMU) to include zoning-level development standards, including mixed-use performance standards, building heights, setbacks, lot coverage, floor area ratio (FAR) standards, open space requirements, and other objective standards that would give clear guidance to proposed developments.

[1] Throughout this SEIR, the term "Implementation Action" refers collectively to the terms "Actions," "Implementation Measures," and "Implementation Actions" as they are identified in the General Plan Update and General Plan Update EIR

ES.3 PROJECT OBJECTIVES

The proposed Zoning Code revisions are consistent with the Project Objectives that were included in the City's 2023 recirculated General Plan Update EIR, below:

1. Reflect the current goals and vision expressed by city residents, businesses, decisionmakers, and other stakeholders;

2. Address issues and concerns identified by city residents, businesses, decision-makers, and other stakeholders;

3. Provide for logical, orderly growth from the city's compact, historic center extending to well-delineated residential neighborhoods, employment centers, and community amenities;

4. Maintain Manteca's family-oriented community character with gathering places, activities, and parks/recreation opportunities for all ages located in attractive, sustainable, and safe neighborhoods and throughout the community;

5. Preserve access to the area's agricultural and natural characteristics, including green space, farmland, and orchards;

6. Revitalize and enhance the Downtown;

7. Provide and encourage high-quality housing options and a variety of housing types for all income levels;

8. Provide and promote high-paying, local employment opportunities and retain and attract high-quality businesses and industry so that residents can live, shop, and work in Manteca;

9. Maintain strong fiscal sustainability that ensure efficient and adequate public services and amenities and supports improved multimodal transportation opportunities, and, through promoting land uses that increase local revenues and ensuring development pays its fair share;

10. Provide a basis for City decision-makers, City departments, other public agencies, and private developers to design projects that enhance the character of the community and achieve the City's desired growth, safety, and conservation objectives; and,

11. Address requirements of State law, including addressing environmental justice, safety, climate adaptation and resilience, and transportation, including complete streets and vehicle miles traveled (VMT).

ES.4 PROJECT IMPACTS AND MITIGATION MEASURES

Table ES-2 in the 2023 recirculated General Plan Update EIR summarizes the impacts and mitigation measures[2] of the City's now adopted General Plan. The implementing policies and implementation actions identified in the

[2] Throughout this SEIR, the term "mitigation measures" refers to mitigation policies and mitigating implementation actions.

2023 recirculated General Plan Update EIR, as applicable, would continue to apply to projects implemented within Zoning Districts referenced under the proposed Zoning Code Update.

The analysis in this SEIR considers the policies set forth in the City's General Plan in evaluating impacts and providing supplementation information necessary to address the impacts of the proposed Zoning Code revisions. The analysis in this SEIR shows the revisions to the City's Zoning Code would have no new significant impacts and no increase in severity in impacts from the 2023 recirculated General Plan Update EIR or Revised Addendum to the General Plan Update EIR.

ES.4.1 Summary of Project Impacts

Table ES-2 in the 2023 recirculated General Plan Update EIR summarizes the impacts of the City's General Plan Update. Appendix B of this SEIR includes applicable General Plan Update policies and implementing actions that would minimize or otherwise mitigate potential impacts, and that would serve as "uniformly applied development policies or standards," as described in CEQA Guidelines Section 15183, for future projects.

This SEIR provides information necessary to address the impacts of the proposed Zoning Code revisions. The following environmental topic areas are not the focus of this SEIR as there would be no new significant impacts and no increase in severity in impacts (discussed further in Section 1.1.4, *Other Environmental Topics Not Discussed in Detail in this Supplemental EIR*).

- Aesthetics and Visual Resources
- Biological Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use, Population and Housing
- Mineral Resources
- Public Services and Recreation
- Utilities and Service Systems
- Wildfire
- Alternatives

ES.4.2 Significant and Unavoidable Impacts

The City's 2023 recirculated General Plan Update EIR identified the following areas where, after implementation of any feasible mitigation measures, implementation of the General Plan Update may nonetheless result in impacts that cannot be fully mitigated to a less-than-significant level:

- Agricultural and Forest Resources
    - Impact 3.2-1: General Plan implementation would result in the conversion of farmlands, including Prime Farmland, Unique Farmland, and Farmland of Statewide Importance, to nonagricultural use
    - Impact 3.2-2: General Plan Implementation would conflict with existing zoning for agricultural use, or a Williamson Act Contract

- Air Quality
  - Impact 3.3-1: General Plan implementation would conflict with or obstruct implementation of the applicable air quality plan, or result in a cumulatively considerable net increase of criteria pollutants
  - Impact 3.3-2: General Plan implementation would expose sensitive receptors to substantial pollutant concentrations
- Noise
  - Impact 3.12-1: General Plan implementation may result in exposure to significant traffic noise sources
- Transportation and Circulation
  - Impact 3.14-1: General Plan implementation may result in VMT per dwelling unit and VMT per employee increases that are greater than 85 percent of Baseline conditions
  - Impact 3.14-2: General Plan implementation may conflict with a program, plan, policy or ordinance addressing the circulation system, including transit, bicycle, and pedestrian facilities
  - Impact 3.14-3: General Plan implementation may increase hazards due to a design feature, incompatible uses, or inadequate emergency access

The proposed revisions to the Zoning Code would not increase the severity of any of these significant and unavoidable impacts disclosed in the 2023 recirculated General Plan Update EIR.

ES.5 ALTERNATIVES

CEQA requires the EIR to analyze a reasonable range of alternatives to the proposed project that (1) meet most or all of the project's objectives; (2) substantially reduce one or more of its significant effects; and (3) are potentially feasible. Pursuant to CEQA Guidelines Section 15163, the supplement to the EIR need contain only the information necessary to make the previous EIR adequate for the project as revised. The proposed revisions to the City's Zoning Code would not increase the severity of any impacts as they were disclosed in the 2023 recirculated General Plan Update EIR. Since there are no new impacts associated with the proposed project and since there are no impacts that would increase in severity with implementation of the proposed project, this SEIR does not include any new alternatives for analysis. There are no alternatives that were determined to be infeasible at the time of drafting the 2023 recirculated General Plan Update EIR (General Plan Update EIR Section 5.0) that would address any potentially significant impact, and that are now feasible. Therefore, the proposed project would not make the alternatives analysis provided in Section 5.0 of the 2023 General Plan Update EIR inadequate, and no changes to Chapter 4 are needed.

ES.6 POTENTIAL AREAS OF CONTROVERSY/ISSUES TO BE RESOLVED

CEQA Guidelines Section 15123 recommends that the Executive Summary include a brief summary of areas of controversy known to the lead agency. The 2023 recirculated General Plan Update EIR includes a list of topics where there could be potentially significant effects that would be examined in that EIR (page ES-1).

A notice of preparation (NOP) on this SEIR was prepared that requested comments from affected agencies and the public regarding the scope and content of the SEIR. The City circulated the NOP for a 30-day review period starting on May 20, 2024. Appendix A of this SEIR includes each comment received on the NOP. NOP comments have been considered and addressed in the respective technical sections in Chapter 3, "Environmental Setting, Impacts, and Mitigation Measures," of this SEIR and are summarized in Section 1.3, "Scope and Focus of the Supplemental EIR" of this SEIR. Topics mentioned in response to the NOP include:

- Rare, threatened, endangered, and other sensitive species and habitats
- Cultural and tribal cultural resources and consultation
- Surface and groundwater quality and existing regulatory requirements

ES.7 HOW TO COMMENT ON THIS DRAFT SEIR

This Supplemental EIR is being circulated for a 30-day public review period. During this time, members of public and agencies can submit written comments on the Supplemental EIR to the address provided below.

Barbara Harb, Interim Director of Development Services
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Comments should be focused on the adequacy and completeness of the SEIR. "Adequacy" is defined as the thoroughness of the EIR in addressing significant adverse physical environmental effects, identifying mitigation measures for those impacts, feasible alternatives that would reduce or avoid potentially significant effects, and supplying enough information for public officials to make decisions about the merits of the project.

After the end of the public review period and as part of preparing the Final SEIR, the City will prepare written responses to all comments pertaining to the adequacy of the Draft SEIR in addressing potentially significant adverse environmental effects associated with the proposed project. The Final SEIR will consist of the Draft SEIR, comments received, written responses to comments, and a list of commenters. It may also contain additional information necessary to respond to the comments.

The City Council will consider certification of the Final SEIR prior to taking action on the proposed revisions to the Zoning Code. At that time, the Council will adopt findings regarding the disposition of each significant effect identified in the Final SEIR, as well as a statement of overriding considerations describing the specific benefits that outweigh the proposed project's significant and unavoidable impacts.

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1 INTRODUCTION

The City of Manteca (City) is proposing revisions to its Zoning Code to revise the existing Mixed Use Commercial Zoning District (CMU) and create a new Mixed Use Downtown Zoning District (DMU) to implement the Downtown (DW) General Plan land use designation ("Zoning Code Update"; "the proposed project"). Revisions to the Zoning Code would include an updated allowable uses table, new development standards, and a revised zoning map to align with the City's adopted General Plan.

This Draft Supplemental General Plan Update Environmental Impact Report (Draft SEIR) has been prepared to provide additional information needed to address the proposed project in addition to that provided in the City's 2023 recirculated General Plan Update Environmental Impact Report and Revised Addendum to the General Plan Update EIR (collectively referred to as the "General Plan Update EIR").

1.1 THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

This Draft SEIR was prepared in compliance with the California Environmental Quality Act (CEQA) of 1970 (Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.).

The lead agency is the public agency with primary responsibility over the proposed project. In accordance with CEQA Guidelines Section 15051(b)(1), "the lead agency will normally be the agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose." The City of Manteca, as the lead agency, directed the preparation of this Draft SEIR to evaluate the environmental impacts of implementation of the proposed project.

1.1.1 TYPE OF EIR

CEQA Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously certified EIR covering the project for which a subsequent discretionary action is required. According to CEQA Guidelines Sections 15162(a) and 15163, when an EIR has been certified for a project, no subsequent or supplement to an EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole public record, one or more of the following:

(1) substantial changes are proposed in the project that will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects;

(2) substantial changes occur with respect to the circumstances under which the project is undertaken that will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR.

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR.

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives.

(D) Mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines Section 15163 states that a lead agency may choose to prepare a supplement to an EIR rather than a subsequent EIR if:

(1) any of the conditions described above for Section 15162 would require the preparation of a subsequent EIR, and

(2) only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.

CEQA Guidelines Section 15163 also identifies that a supplemental EIR needs to contain only the information necessary to make the previous EIR adequate for the project as revised. A supplemental EIR may also be circulated for public and agency review by itself without recirculating the previous draft or final EIR.

This Draft SEIR supplements the certified City of Manteca General Plan Update EIR and Revised Addendum to the General Plan Update EIR (State Clearinghouse: 2020019010). The General Plan Update EIR and Revised Addendum to the EIR continues to have utility in addressing direct, reasonably foreseeable indirect, and cumulative impacts associated with implementing the General Plan Update and the proposed revisions to the City's Zoning Code Update. Mitigated policies and implementation actions imposed as a part of the General Plan Update EIR continue to apply to the implementation of the City's proposed Zoning Code revisions, and are included in Appendix B.

1.1.2 Purpose of this Environmental Impact Report

CEQA Guidelines charge public agencies with the responsibility of avoiding or minimizing environmental damage that could result from implementation of a project, where feasible. As part of this responsibility, public agencies are required to balance various public objectives, including economic and social issues, in addition to the environmental issues addressed in a CEQA document.

The purpose of an EIR is neither to recommend approval nor denial of a project. An EIR is an informational document used in the planning and decision-making process by the lead agency and responsible and trustee agencies. An EIR describes the significant environmental impacts of a project, identifies potentially feasible measures to mitigate significant impacts, and describes potentially feasible alternatives to the project that can

reduce or avoid significant environmental effects. CEQA requires decision-makers to balance the benefits of a project against its unavoidable environmental effects in deciding whether to carry out a project.

If significant environmental effects are identified, the lead agency must adopt findings indicating whether feasible mitigation measures or alternatives exist that can avoid or reduce those effects. If the environmental impacts are identified as significant and unavoidable, the lead agency may still approve the project if it determines that social, economic, legal, technological, or other factors override the unavoidable impacts. The lead agency would then be required to prepare a "Statement of Overriding Considerations" that discusses the specific reasons for approving the project. For an SEIR, a Statement of Overriding Considerations would only be required for new impacts or those substantially increased in severity compared to those addressed in the General Plan Update EIR.

In making its decision about the proposed project, the City considers the information in this Draft SEIR, comments received on the Draft SEIR, and responses to those comments, information in the 2023 recirculated General Plan Update EIR, Revised Addendum to the General Plan Update EIR, and technical appendices, along with cited technical documents to support the analysis presented herein.

1.1.3 USE OF THE EIR FOR TIERING AND STREAMLINING

The analysis in the City's General Plan Update EIR, as augmented by this Supplemental EIR, represents the first tier of environmental review and creates the foundation upon which the City can build in determining whether any additional CEQA review will be needed for projects proposed under the updated CMU and new DMU Zoning Districts. The scope of future project-level environmental analysis can be limited following the preparation of an EIR for a general plan, specific plan, and/or zoning code update based on the guidance set forth in Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

The City intends to make use of the CEQA streamlining allowed under Public Resources Code 21083.3 and CEQA Guidelines 15183 as related to future projects within the CMU and DMU Zoning Districts. Under this provision, CEQA only applies to issues "peculiar to the project or the site" (CEQA Guidelines Section 15183[a]). Lead agencies can use EIRs for a general plan (or community plan or zoning action) to analyze the impacts of projects that are consistent with the plan, and limit later project-level analysis to project-specific or site-specific issues. CEQA Guidelines Section 15183(f) provides that impacts are *not* considered peculiar to the project or site if uniformly applied development policies or standards substantially mitigate that environmental effect.

Public agencies can use uniformly applied policies or standards to mitigate effects of future projects, precluding the need to analyze these effects, unless new information arises that changes the impact analysis (Public Resources Code Section 21083.3[d]). The General Plan Update EIR and this SEIR identify General Plan policies and implementation actions, along with other uniformly applied standards that would apply to future projects proposed within the updated and new Zoning Districts, and that would substantially mitigate potential environmental impacts associated with future proposed development projects in the DMU and CMU Zoning Districts. Appendix B includes the applicable uniformly applied development policies that would be implemented by future projects within the updated and new Zoning Districts. For future projects, the City may reference these uniformly applied development policies, where appropriate, to demonstrate less-than-significant impacts and that later project-level issues are not "peculiar to the parcel" if they have been substantially mitigated.

Please refer to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 for a more detailed description of impacts that are peculiar to the parcel or site, as well as the use of uniformly applied development standards and policies.

1.1.4 Scope and Focus of this Supplemental EIR

Pursuant to CEQA Guidelines Section 15143, a lead agency may limit an EIR's discussion of environmental impacts to specific issue areas where significant impacts on the environment may occur. This principle has been used to organize the information presented in this Draft SEIR.

The City used various information to determine which issue areas may require relatively more or less information in supplement to the General Plan Update EIR to address the proposed project. This information included a review of proposed project characteristics, the General Plan Update and General Plan Update EIR and comments received from members of the public and agencies.

A notice of preparation (NOP) on the Draft SEIR was prepared, and comments were requested from affected agencies and the public regarding the scope and content of the Draft SEIR. The City circulated an NOP for this Draft SEIR starting May 20, 2024 and ending June 18, 2024. Appendix A of this Draft SEIR includes each comment received on the NOP. NOP comments have been considered and those relevant to the environmental analysis have been addressed in this Draft SEIR, as appropriate.

As a result of the review of existing information and the scoping process, it was determined that the following resource areas would have dedicated sections in this Draft SEIR where supplementary information will be provided:

- Agricultural and Forest Resources
- Air Quality
- Cultural and Tribal Cultural Resources
- Greenhouse Gases, Climate Change, and Energy
- Noise
- Transportation and Circulation

1.1.5 Other Environmental Topics Not Discussed in Detail in this Supplemental EIR

As discussed above, the focus of this Draft SEIR is on those environmental topics listed above where additional information is needed as a supplement to the General Plan Update EIR to address the proposed project. The following discussion describes other environmental topics that are not the focus of this Draft SEIR since the proposed revisions to the zoning code (Zoning Code Update) would have no bearing on these environmental impacts. Implementation of the proposed project would not change impacts related to the following environmental topics from what has already been analyzed in the General Plan Update EIR. Therefore, these environmental topics are briefly discussed below and are not discussed further in this Draft SEIR.

- **Aesthetics and Visual Resources:** The General Plan Update EIR concluded that future development under the General Plan Update would have less than significant impacts on aesthetics and visual resources. There are no officially designated scenic vista points or scenic highways near the Manteca Planning Area, and the

City is mostly urbanized with commercial, residential, and industrial uses concentrated along the State Highway 99 and 120 corridors and other major roadway corridors. Farmland surrounds much of the urbanized portion of Manteca and has become an important contributing visual resource. However, the General Plan Update provides for protection of visual features through designating agricultural and open space lands and through General Plan policies and implementation actions that maintain visual quality among various land uses. The proposed Zoning Code Update aims to support future infill development by incorporating development standards for sites designated for urban use, including mixed-use performance standards, building heights, setbacks, stepbacks, floor area ratio, open space, and other objective standards for proposed developments. The proposed revisions would be in alignment with the General Plan Land Use designations. Infill development and undeveloped areas have the greatest potential for changes in visual character and could result in changes to existing light and glare. However, infill development would occur on sites designated for development and within existing urban uses and future development projects would be required to adhere to City Municipal Code standards related to the design, installation, and maintenance of outdoor lighting to avoid light spillage and glare. The proposed Zoning Code Update would ensure that new development or redevelopment in CMU and DMU areas would be compatible with surrounding development, preserving the aesthetic and visual character of the area. Therefore, implementation of the proposed Zoning Code Update would not result in any new significant impacts or a change to the conclusions identified in the General Plan Update EIR with respect to aesthetic and visual resources, and this topic is not discussed further in this Draft SEIR.

- **Biological Resources:** The General Plan Update EIR concluded that implementation of the General Plan Update would result in less than significant impacts to any species identified as candidate, sensitive, or special status species; riparian habitat or other sensitive natural community; state or federally protected wetlands; movement of native residential or migratory fish or wildlife species or use of native wildlife nursery sites; conflicts with local policies protecting biological resources; and, conflicts with provisions of any adopted habitat conservation plan with implementation of the General Plan Update policies and adherence to local and state regulations. The proposed Zoning Code Update would provide detailed development regulations for sites already designated for urban use in the General Plan Update and would not result in converting any new lands to urban uses in areas beyond what was designated or analyzed in the General Plan Update EIR. The proposed Zoning Code Update aims to facilitate infill development in designated CMU and DMU Zoning Districts and would maintain existing urban uses. Therefore, the proposed Zoning Code Update would not involve any changes to existing land use or would result in additional habitat loss, disruption to wildlife corridors, or impacts to sensitive species beyond what was already analyzed in the General Plan Update EIR. Additionally, the proposed Zoning Code Update primarily supports infill development within developed areas and existing land uses and would not result in direct disturbance to the physical environment. Future development within CMU and DMU zoned areas would be required to adhere to federal and State legislation related to biological resources, as well as meet applicable General Plan Update policies and implementation actions to minimize impacts to biological resources. Therefore, implementation of the proposed Zoning Code Update would not result in any new significant impacts or a change to the conclusions identified in the General Plan Update EIR with respect to biological resources, and this topic is not discussed further in this Draft SEIR.

- **Geology and Soils:** The General Plan Update EIR concluded that, with implementation of General Plan Update policies and adherence to federal and local regulations, there would be less-than-significant impacts related to earthquake and seismic activity, soil erosion and loss of topsoil, unstable geologic units or soils, expansive soils, alternative wastewater disposal, and paleontological resources. General Plan Update policies

and implementation actions include measures to reduce impacts related to geologic units and soils, such as requiring proposed development projects to prepare geotechnical reports to address fault displacement, ground shaking, uncompacted fill, expansive soils, liquefaction, subsidence, and settlement and incorporate recommendations designed to reduce the geological and soil-related impacts associated with future development, including infill development. The proposed Zoning Code Update would not identify any new sites for urban uses or development beyond those previously analyzed or anticipated in the General Plan Update EIR, and would have a particular focus on infill development within existing built out areas within the CMU and DMU Zoning Districts. While the proposed Zoning Code Update could facilitate an increase in the intensity or scale of development, or in expediting development, implementation of the proposed Zoning Code Update would not result in additional direct or indirect effects on existing geologic units, features, and soils in the city compared to that already disclosed in the General Plan Update EIR. The proposed Zoning Code Update also does not propose any changes that could result in seismic, geologic, or paleontological-related hazards in areas beyond what was considered in the General Plan Update EIR. Applicable General Plan Update policies, standards, and implementation actions would continue to apply to the implementation of the proposed Zoning Code Update. Therefore, the implementation of the proposed project would not result in any new significant impacts or changes to the conclusions identified in the General Plan Update EIR with respect to geology and soils. This topic is not discussed further in this Draft SEIR.

- **Hazards and Hazardous Materials:** The General Plan Update EIR concluded that there would be less than significant impacts on hazards and hazardous materials with compliance to General Plan Update policies and implementation actions, as well as State and local regulations identified in the General Plan Update EIR, to ensure that hazardous materials are handled in a safe manner. Reasonably foreseeable spills or accidental release of hazardous materials under operational conditions and hazardous emissions would be handled by the local Certified Unified Program Agency (CUPA; San Joaquin County) and emergency management agencies (e.g., police and fire). The General Plan Update also ensures that the City's emergency access routes, emergency contact lists, and public information regarding designated facilities and routes are regularly reviewed to ensure that up to date information is available to the City, and the public in the event of an emergency. Impacts related to airport and aircraft hazards would continue to be less than significant for the Zoning Code Update. The CMU and DMU Zoning Districts are not within the Stockton Metropolitan Airport's Traffic Pattern Zones, and a minor portion of the CMU Zoning District is within the southern airport influence area on West Lathrop Road. However, the General Plan includes numerous policies and implementation actions intended to ensure future developments are consistent with the Stockton Metropolitan Airport Land Use Compatibility Plan. General Plan Policy LU-2.10 requires development within the Stockton Metropolitan Airport Influence Area to be consistent with the compatible uses identified in the Project Review Guidelines for the Airport Land Use Commission. The proposed revisions to the City's Zoning Code provide detailed regulations for sites already designated for urban uses in the General Plan Update and in particular on facilitating infill development within the CMU and DMU Zoning Districts. Land uses allowed within the updated Zoning Districts do not include uses that would result in hazards or the use of hazardous materials not analyzed in the General Plan Update EIR. The proposed Zoning Code Update would not designate additional sites for urban development or identify any new areas for development compared to that already disclosed in the General Plan Update EIR. The Zoning Code Update would also not change existing provisions regarding hazardous material sites. Implementation of the proposed Zoning Code Update would not result in any new significant impacts or a change to the conclusions identified in the General Plan Update

EIR with respect to hazards and hazardous materials. Therefore, this topic is not discussed further in this Draft SEIR.

- **Hydrology and Water Quality:** The General Plan Update EIR concluded that there would be less-than-significant impacts related to hydrology and water quality with adherence to State and local regulatory requirements and General Plan Update policies and implementation actions. The proposed Zoning Code Update implements the City's adopted General Plan by providing development standards, design standards, and allowable uses within the CMU and DMU Zoning Districts, consistency with the General Plan land use designations for these areas and the anticipated land uses analyzed in the General Plan Update EIR. The proposed Zoning Code Update would not alter land use patterns or extend urban uses to areas not already anticipated for development in the General Plan Update EIR. Additionally, the amount of development allowed under the proposed Zoning Code Update is within the scope of what was analyzed in the General Plan Update EIR. Implementing stormwater control measures and compliance with the City's stormwater and drainage requirements outlined in the Municipal Code through site design and best management practices would ensure adequate water supply and that new development reduces potential impacts related to water quality, release of pollutants, reliance on groundwater resources, changes to drainage patterns, erosion, and flooding. Future projects within the CMU and DMU Zoning Districts would be required to adhere to applicable water quality standards and waste discharge requirements. Hydrology and water quality impacts for the proposed Zoning Code Update would not be any different than those reported under the General Plan Update EIR. Therefore, implementation of the proposed Zoning Code Update would not result in any new significant impacts or a change to the conclusions identified in the previously certified General Plan Update EIR with respect to hydrology and water quality, and this topic is not discussed further in this Draft SEIR.

- **Land Use, Population, and Housing:** The General Plan Update EIR determined that impacts related to land use, population, and housing would be less than significant. The General Plan Update EIR determined that implementation of the General Plan Update would not result in the physical division of existing communities, conflict or reduce the effectiveness of any plan or regulation, induce unplanned population growth, or displace existing people or housing based on the implementation of several policies and implementation actions identified in the Land Use, Growth Management, Circulation, Community Design, Community Facilities and Services, and Resource Conservation elements. Applicable policies and implementation actions would promote land use compatibility and ensure compliance with adopted land use plans, policies, and regulations while guiding growth and development. While the proposed Zoning Code Update promotes and facilitates development within CMU and DMU Zoning Districts, consistent with the City's adopted General Plan, the Zoning Code Update does not propose changes that would lead to additional population growth beyond what was already analyzed in the General Plan Update EIR. The proposed Zoning Code Update would not change the overall development assumptions as presented in the City's adopted General Plan Update, but may help to facilitate infill development within the CMU and DMU Zoning Districts, consistent with the adopted General Plan. The proposed Zoning Code Update would ensure consistency with the General Plan Update by incorporating development standards to connect, rather than divide, established communities. The proposed Zoning Code Update reflects improved connections within and between neighborhoods and mixed-use districts to be made in association with new development and improvements for bicycle and pedestrian connectivity. The proposed Zoning Code Update would also not conflict with any plan, policy, or regulation adopted to reduce environmental impacts. The proposed Zoning Code Update promotes infill development and creates convenience and practicality for pedestrians and bicycles, which supports Manteca's commitment to orderly, well-planned, and balanced growth with convenient access to services, recreation, and

employment. Therefore, the implementation of the proposed Zoning Code Update would not result in any new significant impacts or a change to the conclusions identified in the General Plan Update EIR. This topic is not discussed further in this Draft SEIR.

- **Mineral Resources:** The General Plan Update EIR identified less-than-significant impacts on mineral resources. While the Manteca Planning Area does include areas designated as mineral resource zone (MRZ)-2, areas where adequate information indicates that fine aggregate (naturally sand) mineral deposits are present, or where it is judged that a high likelihood for their presence exists, the CMU and DW Zoning Districts do not overlap with any MRZ-2 area. Areas designated as MRZ-3, areas containing mineral deposits the significance of which cannot be evaluated from available data, are located throughout the Planning Area and do overlap with CMU and DMU Zoning Districts. However, the majority of the MRZ-3 areas that do overlap with the CMU or DMU Zoning Districts are already developed and no longer available for mining. There are no other known mineral deposits or resources within Manteca that are of significant value to the region or the state. The proposed Zoning Code Update would not propose any new areas for development, including areas that may otherwise be available for mineral resource extraction. The proposed Zoning Code Update would not result in any new significant impacts or a change to the conclusions identified in the General Plan Update EIR with respect to mineral resources. This topic is not discussed further in this Draft SEIR.

- **Public Services and Recreation:** The General Plan Update EIR concluded that there would be less-than-significant impacts associated with the need for new or physically altered governmental facilities and the deterioration of existing parks and recreation facilities or the construction of new parks and recreation facilities. While the proposed Zoning Code Update would facilitate infill development within CMU and DMU Zoning Districts, it would not change the overall development assumptions as presented in the City's adopted General Plan Update, though the Zoning Code Update may help to facilitate or expedite investment consistent with the General Plan and proposed zoning standards. The General Plan Update EIR does determine that development and growth facilitated by the General Plan Update would result in the increased demand for public services. However, applicable General Plan Update policies and implementation actions would ensure that public services are provided at acceptable levels and that the City would continue to collaborate with other service providers and other agencies as appropriate to provide efficient public facilities and services to Manteca. The proposed Zoning Code Update is consistent with the types of uses and the development density and intensity of future uses anticipated under the General Plan Update and General Plan Update EIR. Therefore, the proposed Zoning Code Update would not create additional population growth or increased demands for public services, including recreational facilities, beyond what was already analyzed in the General Plan Update EIR. Further, the physical environmental impacts of providing new or expanded public service and recreational facilities is analyzed throughout other technical sections of this SEIR and the General Plan Update EIR (such as potential impacts to air quality, noise, transportation, etc.). Implementation of the proposed Zoning Code Update would not result in any new significant impacts or a change to the conclusions identified in the General Plan Update EIR with respect to public services and recreation, and this topic is not discussed further in this Draft SEIR.

- **Utilities and Service Systems:** The General Plan Update EIR determined there would be less-than-significant impacts related to wastewater treatment requirements, new or expanded water or wastewater treatment facilities, capacity of wastewater facilities, and solid waste disposal with adherence to the City's municipal code, applicable General Plan Update policies and implementation actions, and applicable regulations. While

the Zoning Code Update would facilitate development within the CMU and DMU Zoning Districts, it would not change the overall development assumptions in a way that would increase demand for utilities and service systems, as presented in the City's adopted General Plan Update. The City anticipates water and wastewater demand associated with assumed buildout under the General Plan Update to be sufficient to serve future development with the implementation of policies and implementation actions to minimize potential adverse effects with increased demand. Therefore, implementation of the proposed Zoning Code Update would not result in any new significant impacts or a change to the conclusions identified in the General Plan Update EIR with respect to utilities and service systems, and this topic is not discussed further in this Draft SEIR.

- **Wildfires**: The General Plan Update EIR concluded no impact related to wildfires. The City is not located in or near any State Responsibility Areas, and there are no lands classified as very high fire hazard severity zones within or near Manteca. The proposed Zoning Code Update would not designate additional areas for urban development that were not previously designated or analyzed in the General Plan Update EIR. Therefore, the proposed Zoning Code Update would have no impact related to exacerbating wildfire risk and would not result in any new significant impacts or a change to the conclusions identified in the prior General Plan Update EIR concerning wildfire risk. This topic is not discussed further in this Draft SEIR.

- **Alternatives**: The proposed Zoning Code Update does not change the findings regarding potentially significant impacts associated with implementing the General Plan Update. As such, there is no need for any new alternative that would reduce potential impacts that have arisen based on the proposed changes. The alternatives analysis in the General Plan Update EIR remains adequate for addressing the General Plan Update, and a supplemental alternatives analysis is not included in this Draft SEIR.

1.1.6 DOCUMENT FORMAT

The content and format of this Draft SEIR are designed to meet the requirements of CEQA and the CEQA Guidelines (California Code of Regulations Sections 15122 through 15132). This Draft SEIR is organized into the following chapters so that the reader can easily obtain information about the proposed project and its environmental issues:

- **The "Executive Summary**" presents an overview of the project and associated environmental impacts/consequences; a listing of environmental impacts/consequences and implementation actions; and known areas of controversy and issues to be resolved.

- **Chapter 1, "Introduction,"** explains the purpose and intended use of this Draft SEIR, provides a brief summary of the project that is being evaluated, identifies the scope and focus of this Draft SEIR, outlines the organization of the document, and provides information on the public review process.

- **Chapter 2, "Project Description,"** describes the regional location and setting, background and history, project objectives, project characteristics, and the relationship of the proposed project to related plans and regulations.

- **Chapter 3, "Environmental Setting, Impacts, and Implementation Actions,"** is divided into sections corresponding to the environmental topics listed above. The introduction to Chapter 3 explains the approach to the environmental setting, identifies the documents incorporated by reference, presents the section contents, and provides definitions of the types of environmental impacts. The impact analysis examines the impacts that

would occur with implementation of the proposed Zoning Code Update and compares the impacts of the General Plan Update to those previously analyzed in the General Plan Update EIR. The analysis incorporates applicable portions of the General Plan Update EIR by reference. Each of the remaining sections is devoted to a particular environmental topic area and describes the baseline or existing environmental setting; regulatory setting; thresholds for determining significance; and then provides an analysis of environmental impacts, identifies implementation actions that would avoid, eliminate, or reduce potentially significant or significant impacts to a less-than-significant level, where available and feasible; and identifies the significance of the proposed project after implementation of implementation actions.

- **Chapter 4, "Other CEQA Considerations,"** addresses cumulative impacts, the potential for the project to foster economic or population growth or remove obstacles to growth, discusses any significant and unavoidable adverse impacts that would result from project implementation, and discusses any irreversible or irretrievable commitment of resources that could be caused by the project.

- **Chapter 5, "Alternatives Analysis"** addresses the relative impacts of alternatives to the proposed project. As noted, since the proposed Zoning Code Update does not change the findings regarding potentially significant impacts associated with implementing the General Plan Update, there is no need for any new alternative as a part of this Draft SEIR.

- **Chapter 6, "List of Preparers,"** lists individuals who were involved in preparing this Draft SEIR.

- **Chapter 7, "References,"** provides a bibliography of sources cited in the Draft SEIR.

1.2 INTENDED USE OF THIS EIR

The City of Manteca staff, Planning Commission, and City Council will use the EIR to inform themselves of the impacts of the proposed project before considering a recommendation or an action on the proposed project. The Planning Commission and City Council will also consider other information and testimony submitted during deliberations on the proposed project. This Draft SEIR is prepared for the purpose of analyzing the environmental impacts of the proposed Zoning Code Update.

1.2.1 MAKING EFFECTIVE COMMENTS

The City will accept written comments during the review period described below. Please focus your comments on the adequacy of the Draft SEIR.

1.2.2 SUBMITTING COMMENTS

The Draft SEIR will be available for public review and comment. During the public review period, agency representatives and members of the public will have the ability to submit written comments on the Draft SEIR to the address provided below.

Barbara Harb, Interim Director of Development Services
Development Services Department, City of Manteca
1215 W. Center Street, Suite 201
Manteca, CA 95337
(209) 456-8000
bharb@manteca.gov

1.3 FINAL EIR

After the end of the public review period and as part of preparing the Final SEIR, the City will prepare written responses to all environmental issues raised through the public review process. The Final SEIR will present the comments received, written responses to comments, a complete list of commenters, and revisions made to the Draft SEIR in response to comments received. It may also contain additional information necessary to respond to the comments.

The Manteca City Council will consider certification of the Final SEIR prior to considering any action on the proposed project. The City Council will consider the adoption of findings regarding the disposition of each significant effect identified in the Final SEIR and a statement of overriding considerations describing the specific benefits that outweigh significant and unavoidable impacts.

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2 PROJECT DESCRIPTION

2.1 PROJECT SETTING

2.1.1 BACKGROUND

The City Council certified the recirculated General Plan Update Environmental Impact Report (General Plan Update EIR; State Clearinghouse #2020019010) on July 18, 2023. Subsequently, the General Plan Update, as analyzed in the recirculated General Plan Update EIR, was adopted by the City Council. The City prepared an Addendum to the certified General Plan Update EIR to address the 'Modified Project' in relation to the previous environmental review prepared. The 'Modified Project' updates the original General Plan Update EIR to incorporate a revised vision for the northern planning area portion of the city, generally bounded by State Highway 99 on the east, Union Road on the west, Lovelace Road on the north, and the City limit on the south. The General Plan Update EIR and subsequent Addendum were prepared to examine the potential environmental effects of the buildout of the General Plan Update and implementation of its policies and implementation actions. The General Plan Update consists of 10 elements and is designed to guide the City's future growth and development.

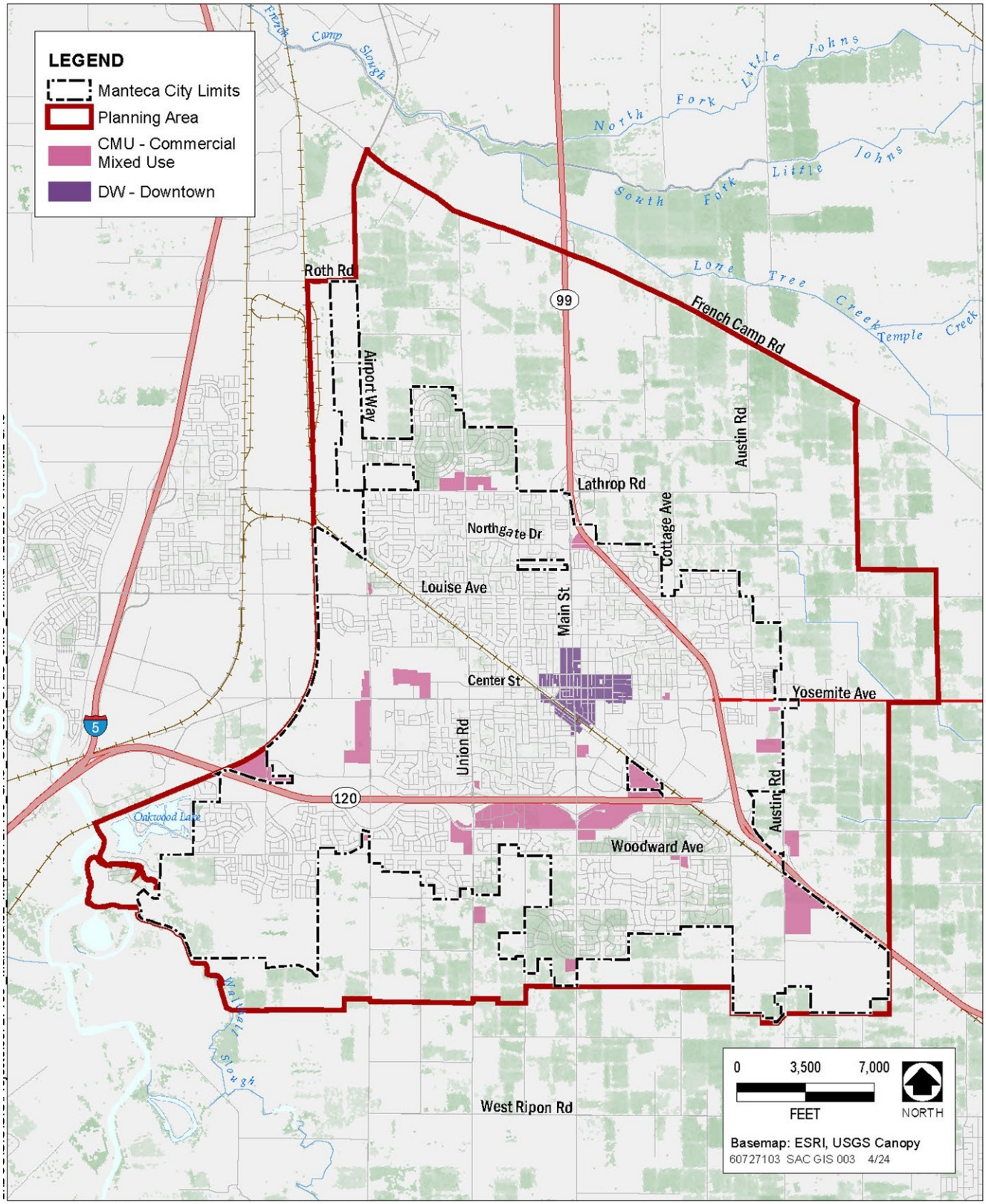
On February 4, 2021, the California Department of Housing and Community Development (HCD) approved Local Early Action Planning (LEAP) grant funding for the City of Manteca to accelerate housing production and facilitate the implementation of the sixth cycle of the Regional Housing Needs Assessment (RHNA) program. On January 16, 2024, the City approved a revised LEAP scope to focus on revisions to the City's Zoning Code to implement the CMU and DW land use designations included in the City's General Plan Update.

The proposed City of Manteca Zoning Code Update (proposed project or Zoning Code Update) aims to translate the General Plan Update policies into development standards and performance criteria for future development projects and provide environmental clearance for future development within the CMU and DW designated areas, with a focus on infill housing development. The proposed Zoning Code Update text provides standards, rules, and procedures for development, and the zoning map shows the location of the proposed Zoning Districts (See Figure 2-1). In addition to ensuring consistency with the General Plan Update and enhancing clarity and usability, the proposed Zoning Code Update ensures compliance with applicable statutory and case law and reflects contemporary zoning approaches and terminology.

The proposed Zoning Code Update ensures that the City's zoning is consistent with the General Plan Update, as required by State law (Government Code Section 65860).

2.1.2 LOCATION

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 Modesto. The city is accessed by State Highway 99 from the north and south and SR 120 from the east and west. The city of Lathrop borders Manteca to the west and unincorporated San Joaquin County to the north, south, and east.



Source: City of Manteca 2022, adapted by AECOM 2024

Figure 2-1 Commercial Mixed Use and Downtown Land Use Areas and Proposed Zoning Districts

2.2 PROJECT OBJECTIVES

The proposed Zoning Code revisions are consistent with the Project Objectives that were included in the City's 2023 recirculated General Plan Update EIR, below:

1. Reflect the current goals and vision expressed by city residents, businesses, decisionmakers, and other stakeholders;

2. Address issues and concerns identified by city residents, businesses, decision-makers, and other stakeholders;

3. Provide for logical, orderly growth from the city's compact, historic center extending to well-delineated residential neighborhoods, employment centers, and community amenities;

4. Maintain Manteca's family-oriented community character with gathering places, activities, and parks/recreation opportunities for all ages located in attractive, sustainable, and safe neighborhoods and throughout the community;

5. Preserve access to the area's agricultural and natural characteristics, including green space, farmland, and orchards;

6. Revitalize and enhance the Downtown;

7. Provide and encourage high-quality housing options and a variety of housing types for all income levels;

8. Provide and promote high-paying, local employment opportunities and retain and attract high-quality businesses and industry so that residents can live, shop, and work in Manteca;

9. Maintain strong fiscal sustainability that ensure efficient and adequate public services and amenities and supports improved multimodal transportation opportunities, and, through promoting land uses that increase local revenues and ensuring development pays its fair share;

10. Provide a basis for City decision-makers, City departments, other public agencies, and private developers to design projects that enhance the character of the community and achieve the City's desired growth, safety, and conservation objectives; and,

11. Address requirements of State law, including addressing environmental justice, safety, climate adaptation and resilience, and transportation, including complete streets and VMT.

The same set of Project Objectives is used to guide the Draft SEIR.

2.3 CHANGES TO THE ZONING CODE

The City proposes revising the Zoning Code to include the development of two Zoning Districts specifically tailored to implement the CMU and DW General Plan land use designations. These changes would consist of revisions to the existing CMU Zoning District and a new DMU Zoning District to facilitate multi-family housing development and infill housing. The Zoning Code revisions would encompass zoning-level development standards, such as mixed-use performance standards, building heights, setbacks, lot coverage, density, floor area

ratio standards, open space requirements, and parking requirements, to provide clear guidance to proposed developments.

2.4 DEVELOPMENT ASSUMPTIONS

The proposed Zoning Code revisions would implement the City's adopted General Plan Update – specifically, the CMU and DW General Plan Update land use designations. The proposed Zoning Code changes addressed throughout this Supplemental EIR do not change the overall development assumptions as presented in the City's adopted General Plan Update. The City anticipates 36,807 new dwelling units, 31,381,062 square feet of non-residential development, and 29,380 new jobs during buildout of the adopted General Plan Update. The proposed Zoning Code Update would not affect the overall development assumptions used for analytical purposes in the General Plan Update EIR. However, by providing clear and objective direction for future development, and by ensuring that the development and design standards in the Zoning Code Update would be feasible for future development, it is the City's goal to facilitate and, where possible, expedite future development within the CMU and DMU Zoning Districts, consistent with the City's General Plan Update, and in particular, Goals EF-5, H-1, and H-3.

The City prepared development assumptions for analytical purposes in this Supplemental EIR. The total land area of the General Plan Update CMU and DMU Zoning Districts is approximately 1,196 acres. For many of these properties, there will not be any new development, construction, or land use change during buildout of the adopted General Plan Update. For some properties, there may be minor additions or expansions to existing buildings and non-residential operations or residential dwellings. For some properties, existing structures would be demolished or partially demolished to accommodate new buildings, landscaped areas, sidewalks, outdoor hardscapes, driveways, parking areas, loading areas, and other ancillary features. Some properties are undeveloped and would be developed during the planning horizon of the City's adopted General Plan Update.

For analytical purposes, the City assumes a mix of new retail, commercial services, office uses, lodging, restaurant, and residential development within the proposed new and revised Zoning Districts, including approximately 1,700 new residential dwelling units, 560,000 square feet of new retail, commercial service, and office uses; 400,000 square feet of new restaurant uses, 160,000 square feet of new lodging and 230 new hotel rooms, and a total of approximately 2,400 new local jobs. The assumed new development examined in this Draft SEIR would occur in areas with existing nearby access to public services, transportation facilities, water, wastewater, and stormwater facilities and service in primarily infill settings.

The City anticipates primarily multi-family development within the CMU and DMU Zoning Districts, but future housing within these areas could also include single-family development, and the City anticipates a variety of housing types, including apartments, condominiums, townhomes, accessory dwelling units, and other types, along with home occupations. The City also anticipates that a broad range of retail, commercial service, and professional office uses could be newly developed or expanded within the CMU and DMU Zoning Districts during buildout of the General Plan Update. This could include grocery stores and neighborhood markets, medical services and medical offices, small-scale retail and convenience retail, eating and drinking establishments, personal services, and lodging in different arrangements. The Zoning Districts could also accommodate development or expansion of public and quasi-public uses, such as public agency offices and facilities, educational facilities, public event centers and community centers, transit facilities, and public parks, plazas, and other forms of open space.

2.5 REQUIRED APPROVALS

This Draft SEIR is prepared in accordance with the requirements of CEQA (California Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations [CCR] Section 15000 et seq.). The City of Manteca, as lead agency for the proposed project under CEQA, has the principal responsibility for certification of the Draft SEIR and adopting and implementing the proposed Zoning Code Update.

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3 IMPACT ANALYSIS

3.0 APPROACH TO THE ENVIRONMENTAL ANALYSIS

Sections 3.1 through 3.16 of the City's General Plan Update EIR and Sections 3.1 through 3.16 of the Addendum to the General Plan Update EIR describe impacts associated with the implementation of the City's General Plan Update.

This Draft SEIR uses this same organization of the General Plan Update EIR, including the numbering of environmental impact sections, though, as noted above under Section 1.1.4, for several environmental topic areas, there are no new significant impacts and no increase in severity in impacts. This Draft SEIR uses the same section numbering scheme so that it is easier to use the General Plan Update EIR and this Draft SEIR in tandem to fully address the impacts of implementing the updated General Plan Update, including the proposed Zoning Code Update.

Based on the analysis presented in Section 1.1.4, the focus of analysis and reporting in this Draft SEIR is on the following topics:

- Agricultural and Forest Resources
- Air Quality
- Cultural and Tribal Cultural Resources
- Greenhouse Gases, Climate Change, and Energy
- Noise
- Transportation and Circulation

3.0.1 INCORPORATION BY REFERENCE

CEQA Guidelines Section 15150 encourages incorporation by reference of previously analyzed and publicly circulated information. CEQA Guidelines Section 15150(c) states that the incorporated part of the referenced document shall be briefly summarized, where possible, or briefly described if the data or information cannot be summarized, and the relationship between the incorporated part of the referenced document and the EIR shall be described.

This Draft SEIR hereby incorporates by reference the *City of Manteca Environmental Impact Report for the Manteca General Plan Update* and *City of Manteca Addendum to the Environmental Impact Report for the Manteca General Plan Update* (State Clearinghouse: 2020019010). Digital copies of the General Plan Update EIR are on the City of Manteca's website at https://manteca.generalplan.org/.

The General Plan Update EIR analyzed the adoption and implementation of the *City of Manteca General Plan Update* (General Plan Update). The General Plan Update EIR provides a comprehensive assessment of the environmental impacts resulting from development accommodated under the General Plan Update and implementation of policies established within the General Plan Update.

Where information from the General Plan Update EIR is incorporated by reference in this Draft SEIR, the relationship of the referenced material to the analyses in this Draft SEIR is explained in each topic-specific resource section. Updates to environmental setting, impact, and mitigation discussions in this Draft SEIR are provided where information has been modified since preparation of the General Plan Update EIR that is relevant to the impact analysis. This is consistent with CEQA Guidelines Section 15163, "Supplement to an EIR."

This same approach is used for the Addendum to the EIR for the Manteca General Plan Update – where additional environmental setting, regulatory information, or impact analysis is needed to address the adverse physical effects associated with implementing the proposed Zoning Code Updates, that information is presented in the material that follows.

3.0.2 SECTION CONTENTS

Sections 3.1 through 3.16 of this SEIR are each organized into the following major components:

- **Existing Conditions (Regulatory Setting and Environmental Setting):** This subsection describes federal, State, regional, and local plans, policies, regulations, and laws that may apply to the environmental topic under evaluation. This SEIR summarizes updated federal, State, regional, and local plans, policies, regulations, and laws that have been adopted since preparation of the General Plan Update EIR. This subsection also provides an overview of the existing physical environmental setting (i.e., the environmental baseline). This SEIR provides updates to the environmental setting where changes have occurred since the adoption of the General Plan Update EIR.

- **Environmental Impacts (Significance Thresholds, Environmental Impacts, and Implementation Actions):** The significance criteria (or "thresholds of significance") are provided to define the level at which an impact would be considered potentially significant or significant in accordance with CEQA. Thresholds may be quantitative or qualitative. They may be based on agency or professional standards or on legislative or regulatory requirements relevant to the impact analysis. Generally, the thresholds of significance are derived from Appendix G of the CEQA Guidelines, as amended; factual or scientific information and data; and regulatory standards. This subsection also provides analysis of the potential environmental impacts of the project described in Chapter 2, "Project Description," of this SEIR. The impact analysis examines the impacts that would occur with implementation of the Zoning Code Update. Finally, as necessary, this subsection identifies feasible implementation actions.

3.0.3 DETERMINING THE LEVEL OF SIGNIFICANCE

For each potential environmental impact identified in this SEIR, a statement of the level of significance of the impact is provided. Impacts are assessed as one of the following categories:

- **No impact** indicates that the construction, operation, and maintenance of the proposed project would not have any direct or indirect effects on the physical environment. It means no change from existing conditions. This impact level does not need mitigation.

- A **less-than-significant impact** is one that would not result in a substantial or potentially substantial adverse change in the physical environment. This impact level does not require mitigation under CEQA.

- A **significant impact** is defined by California Public Resources Code Section 21068 as "a substantial, or potentially substantial, adverse change in the environment." Levels of significance can vary by project, based on the setting and the nature of the change in the existing physical condition. CEQA Guidelines Section 15382 defines a significant effect as a "substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant."

- A **potentially significant impact** is one that, if it were to occur, would be considered a significant impact, as described above; however, the occurrence of the impact cannot be immediately determined with certainty. For CEQA purposes, a potentially significant impact is treated as if it were a significant impact. Therefore, under CEQA, feasible mitigation measures must be provided, where necessary and applicable, to eliminate or reduce the magnitude of potentially significant impacts.

- A **potentially significant and unavoidable impact** or **significant and unavoidable impact** is one that would result in a potentially substantial or substantial adverse effect on the environment, and that could not be reduced to a less-than-significant level even with any feasible mitigation or project alternatives. Under CEQA, a project with significant and unavoidable impacts could proceed, but the lead agency would be required (i) to conclude in findings that there are no feasible means of substantially lessening or avoiding the significant impact in accordance with CEQA Guidelines Section 15091(a)(3) and (ii) to prepare a statement of overriding considerations, in accordance with CEQA Guidelines Section 15093, explaining why the lead agency would proceed with a project, in spite of the potential for significant impacts.

- A **beneficial impact** is an impact that is considered to cause a positive change or improvement in the environment and for which no mitigation measures are required.

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3.1 AESTHETICS AND VISUAL RESOURCES

As detailed in Section 1.1.4 of this Draft SEIR, there is **no change in impact** for the proposed project compared to that addressed in the General Plan Update EIR and the Addendum to the EIR.

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3.2 AGRICULTURAL AND FOREST RESOURCES

Section 3.2, "Agricultural and Forest Resources," of the General Plan Update EIR included a summary of agricultural resources, including an assessment of important farmlands in the planning area, a summary of applicable regulations related to agricultural resources, and an analysis of the potential impacts resulting from the implementation of the General Plan Update (General Plan Update EIR, pages 3.2-1 to 3.2-26). That information is hereby incorporated by reference, and summarized in the "Executive Summary" of this Draft SEIR.

This section provides updated information related to the environmental setting, the regulatory setting, and potential adverse physical environmental effects attributable to the City's Zoning Code Update, where applicable.

3.2.1 EXISTING CONDITIONS

REGULATORY SETTING

The "Regulatory Setting" in the General Plan Update EIR is hereby incorporated by reference (General Plan Update EIR, pages 3.2-7 to 3.2-15).

UPDATES TO THE REGULATORY SETTING

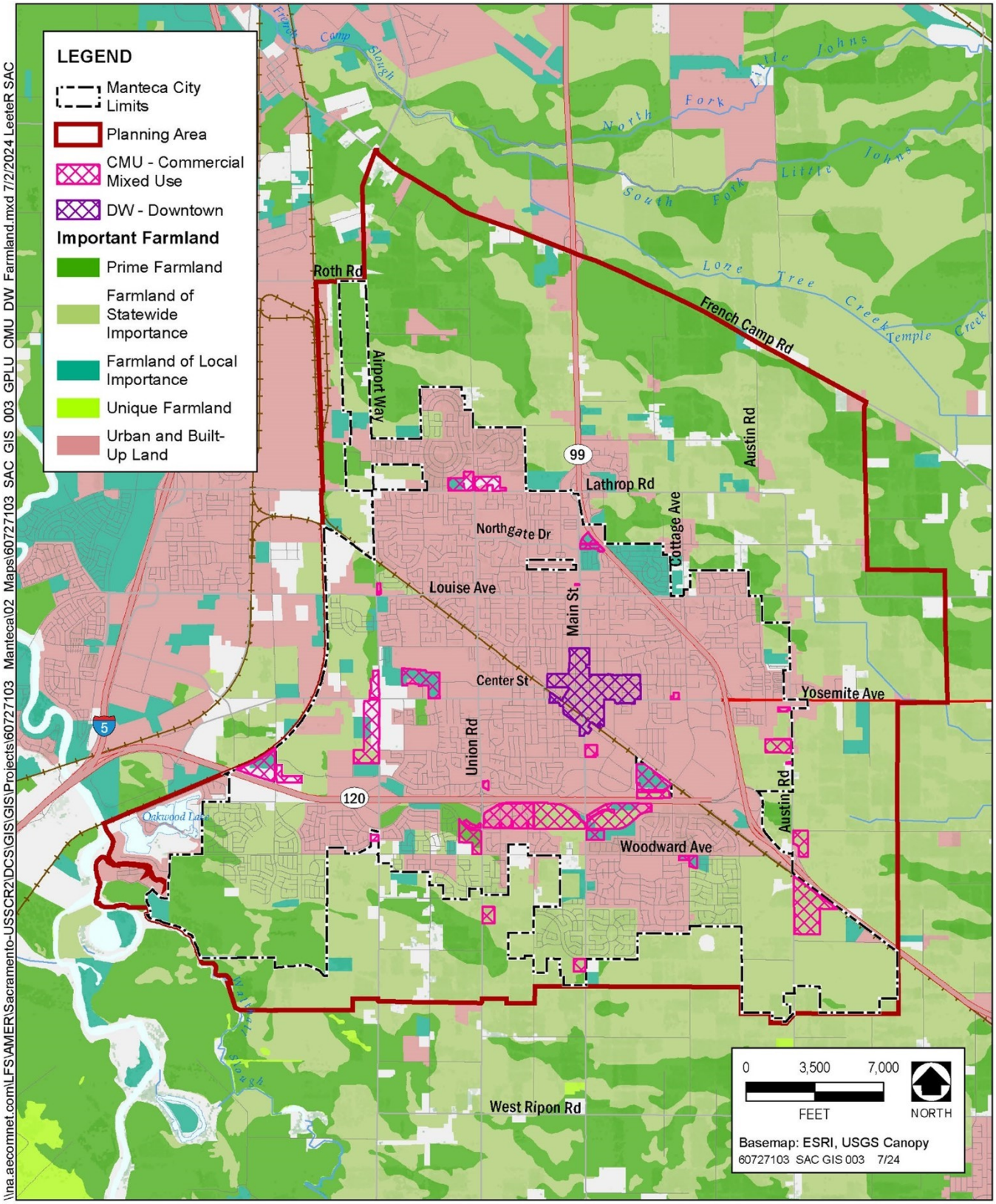
No updates to the regulatory setting are required.

ENVIRONMENTAL SETTING

The existing environmental setting is provided in the General Plan Update EIR (General Plan Update EIR, pages 3.2-1 to 3.2-7), is current as it relates to potential effects attributable to the Zoning Code Update, and is hereby incorporated by reference.

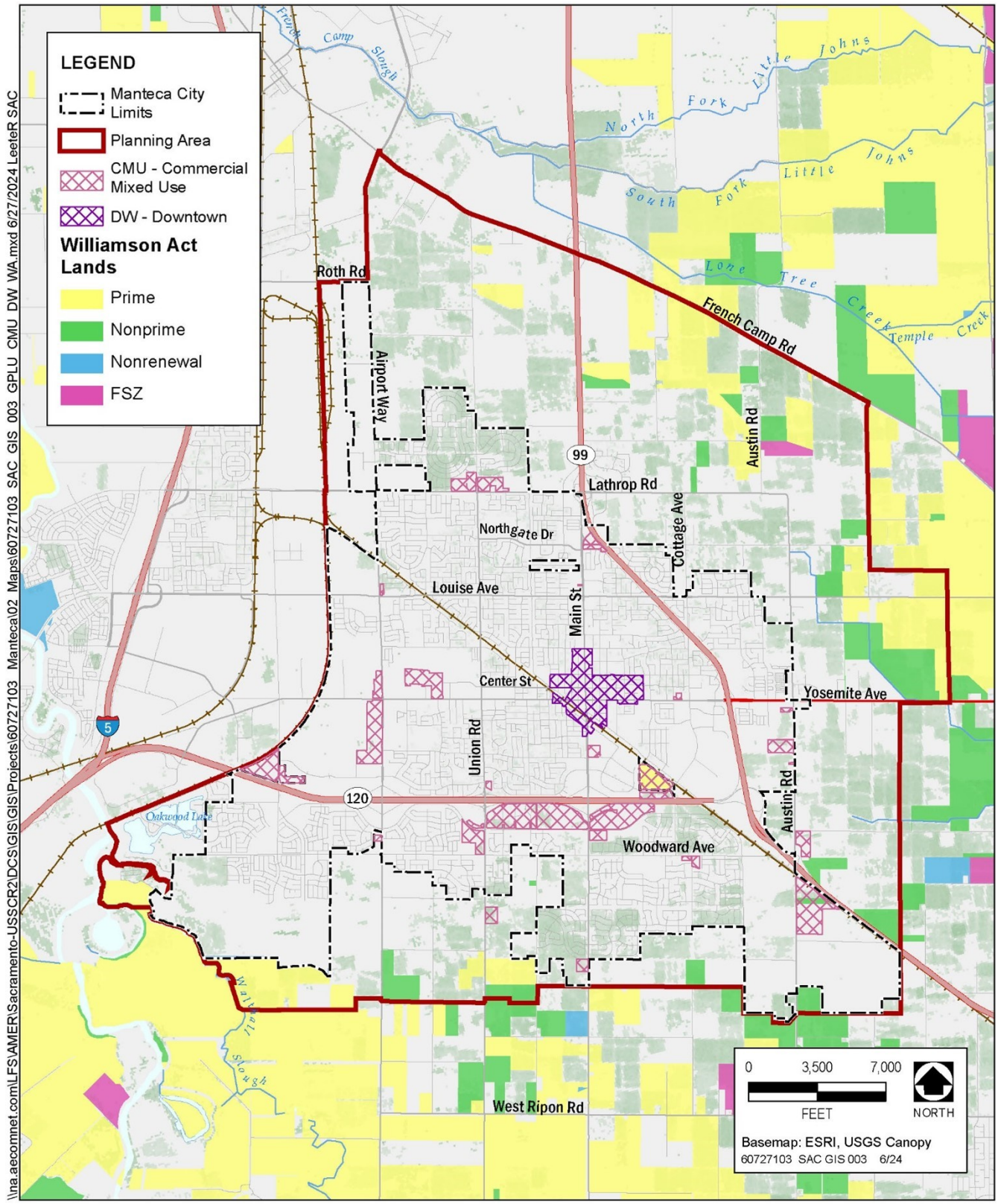
UPDATES TO THE ENVIRONMENTAL SETTING

Based on the California Department of Conservation Farmland Mapping and Monitoring Program data, the CMU Zoning District includes parcels mapped with Important Farmland within City limits. As shown in Figure 3-1, the CMU Zoning District encompasses approximately 153 acres of designated Farmland of Local Importance, 25 acres of Prime Farmland, and 293 acres of Farmland of Statewide Importance. The DMU Zoning District encompasses areas categorized as "Urban and Built-Up Land" (CDOC 2020). The CMU Zoning District also includes areas under Prime and Nonprime Williamson Act Lands within City limits, as shown in Figure 3-2. There are no designated DMU Zoning District parcels under a Williamson Act contract.



Source: City of Manteca 2022, adapted by AECOM 2024, California Department of Conservation 2023

Figure 3-1. Important Farmland in Manteca



Source: City of Manteca 2022, adapted by AECOM 2024, California Department of Conservation 2023

Figure 3-2. Williamson Act Lands in Manteca

3.2.2 ENVIRONMENTAL IMPACTS

THRESHOLDS FOR DETERMINING SIGNIFICANCE

The thresholds for evaluating the significance of impacts for this analysis are based on the environmental checklist in Appendix G of the CEQA Guidelines and are the same as those used in the General Plan Update EIR. These thresholds are used to evaluate potential adverse physical environmental effects attributable to the implementation of the Zoning Code Updates, with a focus on impacts beyond those addressed in the General Plan Update EIR. The proposed Zoning Code Updates would have a significant impact on the environment associated with agricultural and forest resources if it would:

- 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 non-agricultural use;
- Conflict with existing zoning for agricultural use, or a Williamson Act contract;
- Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland zoned Timberland Production (as defined in Public Resources Code section 51104 (g));
- Result in the loss of forest land or conversion of forest land to non-forest use; or
- Involve other changes in the existing environment which, due to their location or nature could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.

IMPACTS AND MITIGATION MEASURES

Impact 3.2-1: General Plan implementation would result in the conversion of farmlands, including Prime Farmland, Unique Farmland, and Farmland of Statewide Importance, to non-agricultural use.

The General Plan Update EIR (pages 3.2-16 to 3.2-20) found that there would be **significant and unavoidable** impacts related to the conversion of farmlands, including with implementation of General Plan Update Policies RC-7.1 through RC-7.17 and Implementation Actions LU-4b, LU-5i, RC-7a, RC-7c through RC-7g, as well as other City regulations, such as Municipal Code Chapter 13.42, agricultural land mitigation requirements to offset costs associated with the loss of agricultural lands converted for urban uses. The General Plan Update EIR accommodates the conversion of farmland to urban land uses, including areas with the CMU General Plan land use designation. While the Zoning Code Update would facilitate development within the CMU Zoning District that may encompass farmland, it would not change the overall development assumptions nor designate additional areas for urban development beyond what was presented and analyzed in the General Plan Update EIR. As such, it would not change the potential for non-agricultural use in designated CMU areas. Further, future development within farmland areas would be required to adhere to applicable General Plan policies and implementation actions, as well as other City legislation established to preserve agricultural lands within Manteca. The proposed Zoning Code Update would not result in any new significant impacts or a change to the conclusions identified in the prior General Plan Update EIR for agricultural and forest resources. Implementation of the proposed project would **not result in new impacts nor impacts that would be substantially increased in severity** as compared with that addressed in the General Plan Update EIR.

Impact 3.2-2: General Plan Implementation would conflict with existing zoning for agricultural use, or a Williamson Act Contract.

The General Plan Update EIR (pages 3.2-21 to 3.2-22) found that there would be **significant and unavoidable** impacts related to conflicts with existing zoning for agricultural use or a Williamson Act Contract, including with implementation of General Plan Update Policies RC-7.1 through RC-7.17 and Implementation Actions LU-4b, LU-5i, RC-7a, RC-7c through RC-7g, as well as other City regulations, such as Municipal Code Chapter 8.24, Right to Farm ordinance, to reduce conflicts between nonagricultural and agricultural land uses. As discussed above, areas with the CMU Zoning District encompass areas adjacent to agricultural uses and areas with Williamson Act contracts. Urban development within CMU-zoned areas could introduce potential land use conflicts in existing agricultural areas or result in Williamson Act contract lands to be developed with urban uses. However, future urban development within CMU-zoned areas that are adjacent to agricultural uses and include Williamson Act lands would adhere to applicable City policies, implementation actions, and ordinances intended to reduce conflict between existing agricultural zones. The proposed revisions to the Zoning Code would not change the overall development assumptions nor designate additional areas for urban development beyond what was presented and analyzed in the General Plan Update EIR. Therefore, the proposed Zoning Code Update would not result in any new significant impacts or a change to the conclusions identified in the prior General Plan Update EIR for agricultural and forest resources. Implementation of the proposed project would **not result in new impacts nor impacts that would be substantially increased in severity** as compared with that addressed in the General Plan Update EIR.

Impact 3.2-3: General Plan implementation would not result in the loss of forest land or conversion of forest land to non-forest use.

The General Plan Update EIR (page 3.2-22) concluded that there would be no impact on forest land, timber, or timber production as there are no forest lands or timber lands within the Manteca Planning Area. The proposed Zoning Code Update would not designate additional areas as forest lands or timberlands. Therefore, conditions have not changed and there is **no impact** related to the proposed project.

Impact 3.2-4: General Plan implementation would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use.

The General Plan Update EIR (pages 3.2-22 through 3.2-23) found that implementation of the General Plan Update would have a **less-than-significant impact** related to other changes in the environment that could result in the conversion of farmland with implementation of General Plan Update policies and implementation actions. As discussed above, the General Plan Update EIR accommodates the conversion of farmland to urban land uses, including areas designated for CMU. Urban development in CMU-zoned areas could result in conflicts at the urban edge with adjacent agricultural practices. However, existing City General Plan policies, implementation actions, and regulations include adequate measures, such as those to buffer project uses from adjacent agricultural uses, which would help reduce adverse effects on neighboring agricultural uses. The Zoning Code Update would not change the overall development assumptions nor designate additional areas for urban development beyond what was presented and analyzed in the General Plan Update EIR. As such, it would not involve other changes to the existing environment that could result in the conversion of Farmland to non-agricultural use. Therefore, the proposed Zoning Code Update would not result in any new significant impacts or a change to the conclusions identified in the prior General Plan Update EIR for agricultural and forest resources. Implementation of the

proposed project would **not result in new impacts nor impacts that would be substantially increased in severity** as compared with that addressed in the General Plan Update EIR.

3.3 AIR QUALITY

Air quality is defined by the concentration of pollutants related to human and environmental health. Concentrations of air pollutants are determined by the rate and location of emissions released by pollution sources and the atmosphere's ability to transport and dilute such emissions. Natural factors that affect transport and dilution include terrain, wind, and sunlight. Therefore, ambient air quality conditions within an air basin are influenced by such natural factors as topography, meteorology, and climate, in addition to the amount of air pollutant emissions released by air pollutant sources.

Section 3.3, "Air Quality," of the General Plan Update EIR (pages 3.3-1 to 3.3-56 and 4.0-8) described the existing air quality conditions, summarized applicable regulations, and analyzed the potential short-term construction and long-term operational, and cumulative impacts of air quality impacts of the General Plan Update. That information is hereby incorporated by reference and summarized in the "Executive Summary" of this Draft SEIR.

This section provides updated information related to the regulatory setting, the environmental setting, and potential adverse physical environmental effects attributable to the City's Zoning Code Update, where applicable.

3.3.1 EXISTING CONDITIONS

REGULATORY SETTING

The "Regulatory Setting" in the General Plan Update EIR and is hereby incorporated by reference (General Plan Update EIR, pages 3.3-13 to 3.3-22).

UPDATES TO THE REGULATORY SETTING

On February 7, 2024, the Environmental Protection Agency (EPA) finalized a rule that lowers the primary annual standard for particulate matter (PM) from 12.0 micrograms per cubic meter ($\mu g/m^3$) to 9.0 $\mu g/m^3$, as reflected in Table 3.3.1. This new standard is intended to provide increased public health protection by integrating an extensive body of new scientific evidence, strengthening the EPA's knowledge of particulate matter with aerodynamic diameter less than 2.5 microns ($PM_{2.5}$)-related health effects. The rule retains the primary and secondary $PM_{2.5}$ 24-hour standard, the secondary $PM_{2.5}$ annual standard, and the primary and secondary particulate matter with aerodynamic diameter less than 10 microns (PM_{10}) standards.

Table 3.3.1 National and California Ambient Air Quality Standards

Pollutant	Averaging Time	CAAQS[1]	NAAQS[2,3] Primary	NAAQS[2,3] Secondary
CO	1 Hour	20 ppm (23 mg/m^3)	35 ppm (40 mg/m^3)	NA
CO	8 Hour	9.0 ppm (10 mg/m^3)	9 ppm (10 mg/m^3)	NA
NO_2	1 hour	0.18 ppm (339 µg/m^3)	100 ppb (188 µg/m^3)	NA
NO_2	Annual Arithmetic Mean	0.030 ppm (57 µg/m^3)	0.053 ppm (100 µg/m^3)	Same as Primary
Ozone	1 hour	0.09 ppm (180 µg/m^3)	NA	NA
Ozone	8 hour	0.070 ppm (137 µg/m^3)[8]	0.070 ppm (137 µg/m^3)[4]	Same as Primary
PM_{10}	24 hour	50 µg/m^3	150 µg/m^3	Same as Primary
PM_{10}	Annual Arithmetic Mean	20 µg/m^3 [6]	NA	NA
$PM_{2.5}$	24 hour	NA	35 µg/m^3	Same as Primary
$PM_{2.5}$	Annual Arithmetic Mean	12 µg/m^3 [6]	9 µg/m^3 [10]	15.0 µg/m^3
SO_2	1 hour	0.25 ppm (655 µg/m^3)	0.075 ppm (196 µg/m^3)	NA
SO_2	24 hour	0.04 ppm (105 µg/m^3)	0.14 ppm (365 µg/m^3)	NA
SO_2	Annual Arithmetic Mean	NA	0.030 ppm (80 µg/m^3)	NA
Sulfates	24 hour	25 µg/m^3	NA	NA
H_2S	1 hour	0.03 ppm (42 µg/m^3)	NA	NA
Lead	30-day Average	1.5 µg/m^3	NA	NA
Lead	Calendar quarter	NA	1.5 µg/m^3	
Lead	Rolling 3-month Average	NA	0.15 µg/m^3 [9]	Same as Primary
Vinyl Chloride	24 hour	0.01 ppm (26 µg/m^3)	NA	NA

Source: CARB 2023

Notes: µg/m^3 = micrograms per cubic meter; CAAQS = California Ambient Air Quality Standard; CARB = California Air Resources Board; CO = carbon monoxide; EPA = U.S. Environmental Protection Agency; H_2S = hydrogen sulfide; mg/m^3 = milligrams per cubic meter; NA =not applicable; NAAQS = national ambient air quality standards; NO^2 = nitrogen dioxide; PM_{10} = particulate matter 10 microns in diameter or less; $PM_{2.5}$ = particulate matter 2.5 microns in diameter or less; ppb = parts per billion; ppm = parts per million; SO^2 = sulfur dioxide

1 California standards for ozone, carbon monoxide (except Lake Tahoe), sulfur dioxide (1-hour and 24-hour), nitrogen dioxide, suspended particulate matter – PM_{10}, and visibility reducing particles are values that are not to be exceeded. The standards for sulfates, Lake Tahoe carbon monoxide, lead, hydrogen sulfide, and vinyl chloride are not to be equaled or exceeded. If the standard is for a 1-hour, 8-hour or 24-hour average (i.e., all standards except for lead and the PM_{10} annual standard), then some measurements may be excluded. In particular, measurements are excluded that CARB determines would occur less than once per year on the average. The Lake Tahoe CO standard is 6.0 ppm, a level one-half the national standard and two-thirds the state standard.

2 National standards shown are the "primary standards" designed to protect public health. National standards other than for ozone, particulates and those based on annual averages are not to be exceeded more than once a year. The 1-hour ozone standard is attained if, during the most recent three-year period, the average number of days per year with maximum hourly concentrations above the standard is equal to or less than one. The 8-hour ozone standard is attained when the 3-year average of the 4th highest daily concentrations is 0.070 ppm (70 ppb) or less. The 24-hour PM_{10} standard is attained when the 3-year average of the 99th percentile of monitored concentrations is less than 150 µg/m^3. The 24-hour $PM_{2.5}$ standard is attained when the 3-year average of 98th percentiles is less than 35 µg/m^3. Except for the national particulate standards, annual standards are met if the annual average falls below the standard at every site. The national annual particulate standard for PM^{10} is met if the 3-year average falls below the standard at every site. The annual $PM_{2.5}$ standard is met if the 3-year average of annual averages spatially averaged across officially designed clusters of sites falls below the standard.

3 National air quality standards are set by the EPA at levels determined to be protective of public health with an adequate margin of safety.

4 On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm. An area will meet the standard if the fourth-highest maximum daily 8-hour ozone concentration per year, averaged over three years, is equal to or less than 0.070 ppm. EPA will make recommendations on attainment designations by October 1, 2016, and issue final designations October 1, 2017. Nonattainment areas will have until 2020 to late 2037 to meet the health standard, with attainment dates varying based on the ozone level in the area.

6 In June 2002, CARB established new annual standards for $PM_{2.5}$ and PM_{10}.

8 The 8-hour CA ozone standard was approved by the Air Resources Board on April 28, 2005 and became effective on May 17, 2006.

9 National lead standard, rolling 3-month average: final rule signed October 15, 2008. Final designations effective December 31, 2011.

10 In February 2024, EPA strengthened the annual $PM_{2.5}$ National Ambient Air Quality Standards (NAAQS) from 12.0 to 9.0 micrograms per cubic meter (µg/m^3). The final area designation timeline for the 2024 revised primary annual $PM_{2.5}$ NAAQS is expected to be in 2026. The final area designations for the 2012 primary annual $PM_{2.5}$ NAAQS will be used. Areas designated "unclassifiable/attainment" must continue to take steps to prevent their air quality from deteriorating to unhealthy levels.

ENVIRONMENTAL SETTING

The existing environmental setting is provided in the General Plan Update EIR (General Plan Update EIR, pages 3.3-1 to 3.3-12) and is hereby incorporated by reference. The setting provides information on the climate, topography, and meteorology. The setting summarizes the existing air quality and describes existing sensitive receptors. As presented on pages 3.3-12 of the General Plan Update EIR, sensitive receptors include residences, schools, daycare centers, hospitals, nursing homes, and assisted living facilities. Sensitive receptors located within the CMU and DMU Zoning Districts, or within proximity (i.e., within approximately 1,000 feet), include residences, daycare centers, assisted living facilities, Manteca High School, Veritas Elementary School, Lindbergh School, St. Anthony's Catholic School, and Kaiser Permanente Manteca Medical Center.

3.3.2 ENVIRONMENTAL IMPACTS

THRESHOLDS FOR DETERMINING SIGNIFICANCE

The thresholds for evaluating the significance of impacts for this analysis are based on the checklist in Appendix G of the CEQA Guidelines and are the same as those used in the General Plan Update EIR. The proposed Zoning Code Updates would have a significant impact on the environment associated with air quality if it would:

- conflict with or obstruct implementation of the applicable air quality plan;
- result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard;
- expose sensitive receptors to substantial pollutant concentrations; and/or
- result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

IMPACTS AND MITIGATION MEASURES

Impact 3.3-1: Would conflict with or obstruction of implementation of the applicable air quality plan, or result in a cumulatively considerable net increase of criteria pollutants.

The General Plan Update EIR (pages 3.3-23 through 3.3-42) found that implementation of the General Plan Update would have a **significant and unavoidable** impact due to population growth and an increase in VMT that exceed the growth projections assumed in the applicable air quality plans. The General Plan Update EIR found that the General Plan Update was designed to not conflict with the applicable air quality plans because the General Plan Update would not conflict with any of the development-related control measures contained within the air quality plans and the implementation of the development-related control measures contained within the air quality plans are demonstrated to be sufficient to achieve the requirements under the Federal Clean Air Act. Control measures contained in the air quality plans are implemented through San Joaquin Valley Air Pollution Control District (SJVAPCD) rules and regulations. As noted in the General Plan Update EIR, the General Plan Update would not conflict with any applicable SJVAPCD rules and regulations, as they are required to be implemented by law. However, the population growth under the General Plan Update was found to potentially exceed growth projections assumed in the adopted air quality plans. SJVAPCD air quality plans demonstrate that project-specific emissions below SJVAPCD thresholds of significance will have a less than significant impact on air quality. The SJVAPCD does not provide programmatic thresholds of significance for criteria pollutants;

however, the General Plan Update EIR reported that the implementation of individual development projects would have the potential to conflict with SJVAPCD's thresholds of significance, and therefore the applicable air quality plans, at the project-level.

Individual development projects under the Zoning Code Update would generate criteria pollutant emissions during construction and operation that may exceed the SJVAPCD project-level thresholds of significance. General Plan Update policies and implementation actions would improve air quality and reduce emissions of criteria air pollutants associated with future development projects under the Zoning Code Update. General Plan Update Policies RC-5.3, RC-5.4, and RC-5.6 and Implementation Actions RC-5a, RC-5b, RC-5d, and RC-5f would reduce emissions from construction and operation of future development through implementation of adequate, appropriate, and cost-effective mitigation measures that reduce significant and potentially significant impacts; encouraging the use of energy-efficient lighting and appliances beyond Title 24 requirements; use of best available and economically feasible control technologies for stationary industrial sources; and implementation of all required dust control measures in accordance with SJVAPCD Rule 8201.

Development and infrastructure projects that would be implemented under the Zoning Code Update would also be subject to SJVAPCD rules and regulations including but not limited to Rules 4002, 4101, 4641, 8021, 9410, and 9510, which would limit criteria air pollutant emissions and support consistency with the air quality plans.

The Zoning Code Update would not change the overall development assumptions as presented in the City's adopted General Plan Update. Land use change under the proposed Zoning Code Update would produce vehicular travel demand (measured in terms of vehicle miles traveled or "VMT) that is within the VMT increase estimated for the General Plan Update as a whole, which was found to potentially exceed VMT projections assumed in the applicable air quality plans. However, development within the proposed CMU Zoning District, and in particular the DMU Zoning District, would involve more infill development compared to the city as a whole under the General Plan Update. Development under the Zoning Code Update, in locations with good street connectivity, would include new housing development in close proximity to destinations, such as employment, retail, commercial and civic services, and parks and open space. Developing residential land uses in infill locations can reduce the need for vehicle travel, and thereby VMT, by locating residents near employment opportunities, retail and commercial services, entertainment, and recreation. Development in the CMU and DMU Zoning District would be relatively more "VMT-efficient" compared to development throughout the City's planning area as a whole. Since air pollutant emissions are largely driven by the level of vehicular travel demand, this means that the more development that is directed to the CMU Zoning District and in particular, the DMU Zoning District, the better that development will be able to perform relative to air pollutant emissions. Development under the proposed Zoning Code Update would further promote consistency with air quality plans.

Implementation of General Plan Update policies and implementation actions such as Implementation Action RC-5b and RC-5f would require mitigation of significant and potentially significant climate change and air quality impacts and compliance with SJVAPCD rules and regulations. However, the effectiveness of these measures to reduce construction and operational emissions would depend on the number and extent of strategies feasible to incorporate as part of any given project. Even with adherence to General Plan Update policies and implementation actions, along with existing SJVAPCD rules and regulations, and considering the emissions reduction benefits of infill development, construction and operational emissions associated with development under the Zoning Code Update could still exceed SJVAPCD-recommended significance thresholds. Thus, the Zoning Code Update could consequently result in a cumulatively considerable net increase of criteria air pollutants for which the project

region is designated as nonattainment area under an applicable federal or state ambient air quality standard, or conflict with or obstruct implementation of the applicable air quality plan. Consistent with the General Plan Update EIR, this impact would remain significant and unavoidable, and implementation of the proposed project would **not result in new impacts nor impacts that would be substantially increased in severity** as compared with that addressed in the General Plan Update EIR.

Impact 3.3-2: Would not expose sensitive receptors to substantial pollutant concentrations.

The General Plan Update EIR (pages 3.3-42 through 3.3-52) found a **less-than-significant** impact related to exposure of sensitive receptors to substantial pollutant concentrations. As described above in Impact 3.3-1, the proposed Zoning Code Update changes would not change the overall level of development assumptions as presented in the City's adopted General Plan Update. As noted in the General Plan Update EIR, the General Plan Update policies and implementation actions, including but not limited to Policies LU-3.9, LU-5.4, RC-5.2, and RC-5.3, and Implementation Actions LU-1b, RC-5b, and RC-5e, would minimize the potential for exposure of sensitive receptors to pollutant concentrations by requiring an adequate buffer or distance between residential and other sensitive land uses and land uses that typically generate air pollutants and toxic air contaminants; requiring construction and operation of new development to be managed to minimize fugitive dust and air pollutant emissions; and reviewing development, land use, and other projects that are subject to CEQA for potentially significant air quality impacts, including toxic and hazardous emissions, and requiring that projects provide adequate, appropriate, and cost-effective mitigation measures to reduce significant and potentially significant impacts including, but not limited to, preparation of a health risk assessment, if appropriate.

Emissions of toxic air contaminants (TACs) during construction-related activities would be generated from the use off-road equipment and on-road vehicles. The greatest potential for TAC emissions during construction would be related to diesel particulate matter (DPM) associated with use of heavy-duty construction equipment and diesel-fueled vehicles. Health risks resulting from exposure to pollutant concentrations is a function of the concentration of contaminants in the environment and the duration of exposure to those contaminants. Concentrations of mobile-source DPM emissions are typically reduced by approximately 60 percent at a distance of around 300 feet (Zhu and Hinds 2002). Therefore, even in intensive phases of construction, any potential substantial DPM concentrations would be limited to the immediate vicinity of the construction site. The risks estimated for an exposed individual are higher if a fixed exposure occurs over a longer period of time. Health effects from TACs are often described in terms of individual cancer risk, which is based on a 30-year lifetime exposure to TACs (Office of Environmental Health Hazard Assessment [OEHHA] 2015). Construction activities associated with the infill development within the CMU and DMU Zoning Districts may result in construction-related emission sources being in proximity to sensitive receptors due to the footprint of project sites being limited by existing surrounding development, and there may be potential for increased pollutant concentrations to occur in proximity to sensitive receptors. General Plan Update Implementation Action RC-5b requires that projects provide mitigation to reduce significant and potentially significant impacts related to toxic and hazardous emissions including requiring the preparation of a health risk assessment, if appropriate. Construction activities associated with development under the proposed Zoning Code Update would result in intermittent, temporary emissions of DPM; however, anticipated construction schedules and quantities of equipment for individual projects are not known at the time of this analysis. Due to the potential for construction activities to be in close proximity to sensitive receptors, this construction impact is considered **potentially significant**.

The General Plan Update EIR found that DPM emissions resulting from increased operational truck trips associated with buildout of the General Plan Update would result in health risks that would be less than SJVAPCD-recommended thresholds of significance. As described previously, the proposed Zoning Code Update does not change the overall development assumptions and there would be no change in truck trips compared to what was analyzed in the General Plan Update EIR. Furthermore, the CMU and DMU Zoning Districts would provide for compatible land uses that would not generate substantial sources of TACs. The proposed CMU and DMU Zoning Districts does not allow truck terminals, manufacturing, warehousing and distribution, or other uses that could produce stationary sources of emissions or that would accommodate large volumes of diesel truck traffic. Additionally, General Plan Update Policies RC-5.2 and LU-3.9 and Implementation Actions RC-5b and RC-5e would reduce potential exposure to TACs by requiring adequate buffers between sensitive land uses and sources of TAC and documentation of such buffers prior to project approval. General Plan Update Policies RC-5.3 and RC-5.4 and Implementation Actions RC-5b, RC-5c, and RC-5e would also reduce potential exposure to TACs by requiring new development to be managed to minimize air pollutant emissions; appliances and equipment meet standards for controlling air pollution; preparation of a health risk assessment if appropriate; and incorporation of adequate mitigation to address potentially significant impacts. Therefore, consistent with the General Plan Update EIR, this operational impact would remain less than significant, and implementation of the proposed project would **not result in new impacts nor impacts that would be substantially increased in severity** as compared with that addressed in the General Plan Update EIR.

Mitigation Measure 3.3-2a: Proposed New Implementation Action RC-5g

> The City shall require construction equipment over 50 brake horsepower used in locations within 300 feet of an existing sensitive receptor to meet Tier 4 Final engine emission standards. Alternatively, a project applicant may prepare a site-specific estimate of diesel particulate matter emissions associated with total construction activities and evaluate for health risk impact on existing sensitive receptors in order to demonstrate that applicable San Joaquin Valley Air Pollution Control District-recommended thresholds for toxic air contaminants would not be exceeded or that applicable thresholds would not be exceeded with the application of alternative mitigation techniques approved by the San Joaquin Valley Air Pollution Control District.

Significance after Mitigation

Implementation of Mitigation Measure 3.3-2a would require construction equipment over 50 brake horsepower (bhp) used in locations within 300 feet of existing sensitive receptors to meet Tier 4 or cleaner engine emission standards, which have been shown to reduce DPM emissions by more than 90 percent from current levels, or, if Tier 4 or cleaner engines are not used, to prepare a site-specific estimate of DPM emissions and associated evaluation of health risks to demonstrate that applicable SJVAPCD-recommended thresholds for TACs would not be exceeded, with application of alternative mitigation techniques if appropriate. In addition, General Plan Update Implementation Action RC-5f would require projects to comply with Air District Rule 8021, including implementation of all required dust reduction measures and, when required, prepare a dust management plan to prevent violating an ambient air standard. While the selection of specific actions would be project-specific, incorporation of required actions such as adherence to idling limitations and use of diesel-powered construction equipment with engines that meet higher tier emission standards (such as Tier 4 Final) would reduce construction-related emissions of diesel exhaust, and thereby DPM concentrations, generated during temporary construction activities that could occur in proximity to sensitive receptors. Therefore, General Plan Update policies and

implementation actions, along with implementation of Mitigation Measure 3.3-2a, would reduce potential exposure by sensitive receptors to DPM emissions associated with development under the Zoning Code Update and, consistent with the General Plan Update EIR, this impact would remain less than significant and would **not result in new impacts nor impacts that would be substantially increased in severity** as compared with that addressed in the General Plan Update EIR.

Impact 3.3-3: Would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

The General Plan Update EIR (pages 3.3-52 through 3.3-53) found a **less-than-significant** impact related to exposure to odors. As detailed in the General Plan Update EIR, future development under the General Plan Update would be required to comply with all applicable General Plan policies and implementation actions and SJVAPCD rules and regulations.

Implementation of the Zoning Code Update would include construction activities that may result in temporary odors such as diesel emissions from construction equipment and diesel trucks traveling on local roadways. These construction activities and emissions would be temporary and intermittent. Operationally, land use types widely considered to be major sources of odors include wastewater treatment and pumping facilities, chemical manufacturing facilities, sanitary landfills, fiberglass manufacturing facilities, transfer stations, painting/coating operations (e.g., auto body shops), composting facilities, food processing facilities, confined animal facilities, asphalt batch plants, rendering plants, metal smelting plants, and coffee roasters, as shown in the SJVAPCD's Guide for Assessing and Mitigating Air Quality Impact (GAMAQI) (SJVAPCD 2015). This list is meant not to be entirely inclusive, but to act as general guidance. As described above and in the General Plan Update, the CMU land use designation provides for high-density residential, employment centers, retail, commercial, and professional offices and the DW land use designation provides for the mixture of retail, service commercial, office, and/or multiple-family residential uses. The proposed CMU and DMU Zoning Districts do not allow agricultural products processing, fuel storage and distribution, or other uses that would generate substantial odors and commercial kennels in the proposed CMU Zoning Districts are required to maintain a 200-foot setback from neighboring property lines.

General Plan Update Policy RC-5.2 and Implementation Action RC-5b would reduce potential exposure to odors by requiring an adequate buffer or distance between sensitive land uses and land uses that typically generate odors and documentation that appropriate buffers are included in project design for development of sensitive land uses. Additionally, future development under the Zoning Code Update allows for a mix of compatible land uses that are not typically odor-generating, and would be subject to SJVAPCD rules and regulations, such as Rule 4102 Nuisance, ensuring that proper measures are taken to reduce exposure to odors. Therefore, the Zoning Code Update would not result in emissions of odors adversely affecting a substantial number of people and, consistent with the General Plan Update EIR, this impact would remain less than significant and would **not result in new impacts nor impacts that would be substantially increased in severity** as compared with that addressed in the General Plan Update EIR.

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3.4 BIOLOGICAL RESOURCES

As detailed in Section 1.1.4 of this Draft SEIR, there is **no change in impact** for the proposed project compared to that addressed in the General Plan Update EIR and the Addendum to the EIR.

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3.5 CULTURAL AND TRIBAL CULTURAL RESOURCES

Cultural resources and tribal cultural resources include archaeological traces such as Native American occupation sites and artifacts, historic-era buildings and structures, and places used for traditional Native American practices or other properties with special cultural significance.

Section 3.5, "Cultural and Tribal Cultural Resources," of the General Plan Update EIR described cultural and tribal cultural resources identified in the Planning Area and addressed potential impacts associated with the implementation of the General Plan Update on identified and previously undiscovered cultural and tribal cultural resources and human remains. That information is hereby incorporated by reference and summarized in the "Executive Summary" of this Draft SEIR.

This section provides updated information related to the environmental setting, the regulatory setting, and potential adverse physical environmental effects attributable to the City's proposed Zoning Code Update, where applicable.

3.5.1 EXISTING CONDITIONS

REGULATORY SETTING

The "Regulatory Setting" in the General Plan Update EIR has remained largely unchanged and is hereby incorporated by reference (General Plan Update EIR, pages 3.5-9 to 3.5-13, 4.0-9 and 4.0-10).

UPDATES TO THE REGULATORY SETTING

No updates to the regulatory setting are required.

ENVIRONMENTAL SETTING

The existing environmental setting is provided in the General Plan Update EIR (General Plan Update EIR, pages 3.5-1 to 3.5-9), is hereby incorporated by reference.

UPDATES TO THE ENVIRONMENTAL SETTING

The City requested an updated search from the Central California Information Center (CCaIC) of the California Historical Resources Information System (CHRIS). There were 23 resources identified in the proposed CMU and DMU Zoning Districts, 12 of which were previously identified in the General Plan Update EIR (see Table 3.5.1 below).

Table 3.5.1 Resources Identified in the Central California Information Center Records Search

Primary #	Address	Period/ Type	Name	Previously Identified and Analyzed in General Plan Update EIR
P-39-000015	Not provided	Historic	Tidewater Southern Railway	Yes
P-39-004496	3833 Lathrop Road	Historic	3833 Lathrop Road	Yes
P-39-004497	3807 Lathrop Road	Historic	3807 Lathrop Road	Yes
P-39-004498	14875 N. Union Road	Historic	14875 N. Union Road	Yes
P-39-004499	4513 Lathrop Road	Historic	4513 Lathrop Road	Yes
P-39-004500	14842 N. Union Road	Historic	14842 N. Union Road	Yes
P-39-004864	Not provided	Historic	AR1H	Yes

Primary #	Address	Period/ Type	Name	Previously Identified and Analyzed in General Plan Update EIR
P-39-005156	19119 McKinley Ave.	Historic	19119 McKinley Ave., Manteca	Yes
P-39-005157	18871 McKinley Ave.	Historic	18871 McKinley Ave., Manteca	Yes
P-39-005158	Not provided	Historic	Manteca-Vierra, Schulte SW Trans Line	Yes
P-39-005159	19020 McKinley Ave.	Historic	19020 McKinley Ave., Manteca	Yes
P-39-005160	19160 McKinley Ave.	Historic	19160 McKinley Ave., Manteca	Yes
P-39-005339	883 W. Lathrop Road, Manteca	Historic	883 W. Lathrop Road, Manteca	No
P-39-005400	495 N. Airport Way	Historic	495 N. Airport Way	No
P-39-005415	625 S. Airport Way	Historic	625 S. Airport Way	No
P-39-005417	721 S. Airport Way	Historic	721 S. Airport Way	No
P-39-005418	739 S. Airport Way	Historic	739 S. Airport Way	No
P-39-005422	1083 S. Airport Way	Historic	1083 S. Airport Way	No
P-39-005423	2110 W. Yosemite Ave	Historic	2110 W. Yosemite Ave	No
P-39-005424	223 S. Airport Way	Historic	223 S. Airport Way	No
P-39-005425	251 S. Airport Way	Historic	251 S. Airport Way	No
P-39-005427	273 S. Airport Way	Historic	273 S. Airport Way	No
P-39-005433	579 S. Airport Way	Historic	579 S. Airport Way	No

Note: EIR = Environmental Impact Report

An updated Sacred Lands File (SLF) search was requested from the California Native American Heritage Commission (NAHC). The NAHC replied on June 11, 2024, and indicated that the SLF search was negative.

As a part of this environmental review, the City sent invitations to consult pursuant to Assembly Bill (AB) 52 to all Native American tribal representatives identified by the NAHC, all Native American tribal representatives who have indicated to the City that they wish to be invited for consultation for projects subject to CEQA review, and tribes consulted as part of the General Plan Update EIR. The City sent tribal consultation invitations to the following tribes: Buena Vista Rancheria of Me-Wuk Indians of California; Ione Band of Miwok Indians; United Auburn Indian Community of the Auburn Rancheria; Torres Martinez Desert; Cahuilla Indians; Southern Sierra Miwuk Nation; Wilton Rancheria; California Valley Miwok Tribe; Muwekma Ohlone Tribe of the San Francisco Bay; Amah Mutsun Tribal Band; Confederated Villages of Lisjan Nation; Northern Valley Yokut / Ohlone Tribe, Tule River Indian Tribe; and, Wuksachi Indian Tribe/Eshom Valley Band.

The Northern Valley Yokut / Ohlone Tribe, Confederated Villages of Lisjan Nation, and Muwekma Ohlone Tribe of the San Francisco Bay provided responses to this request. The Confederated Villages of Lisjan Nation responded that the Tribe did not have additional information to provide and did not request consultation. The Northern Valley Yokut / Ohlone Tribe and Muwekma Ohlone Tribe requested consultation and discussions are ongoing.

3.5.2 Environmental Impacts

Thresholds for Determining Significance

The thresholds for evaluating the significance of impacts for this analysis are based on the environmental checklist in Appendix G of the CEQA Guidelines and Section 106 of the National Historic Preservation Act (NHPA) and are the same as those used in the General Plan Update EIR. These thresholds are used to evaluate potential adverse physical environmental effects attributable to implementation of the proposed Zoning Code

Update, with a focus on impacts beyond those addressed in the General Plan Update EIR. A significant impact on cultural resources would occur if the proposed Zoning Code Update would:

- cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5;
- cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Section 15064.5;
- disturb any human remains, including those interred outside of formal cemeteries; or
- 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);
    - 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 resources to a California Native American tribe.

Further information related to thresholds of significance is provided in the General Plan Update EIR (General Plan Update EIR, pages 3.5-13 to 3.5-21) and is hereby incorporated by reference.

IMPACTS AND MITIGATION MEASURES

Impact 3.5-1: General Plan implementation would not cause a substantial adverse change in the significance of a historical or archaeological resource pursuant to Section 15064.5.

The General Plan Update EIR (page 3.5-14) found that there would be **less-than-significant** impacts related to adverse effects on significant historical and archaeological resources with implementation of General Plan Update Policies RC-10.1 through RC-10.7 and Implementation Actions RC-10a through RC-10g, RC-10g, and RC-11h through RC-11j. General Plan Policies and Implementing Actions would require conservation of cultural, historical, and archaeological resources and minimize adverse effects on significant historic and archaeological resources, such as Implementing Action RC-10b, which requires a cultural and archaeological or paleontological survey for projects that would require excavation in an area sensitive for these resources. Table 3.5.1 discusses the known historical resources located near the proposed CMU and DMU Zoning Districts identified by the CCaIC.

Future development within the proposed CMU and DMU Zoning Districts could affect known historical and archaeological resources or unknown historical and archaeological resources which have not yet been identified. Future projects would be evaluated for conformance with the City's General Plan Update, Municipal Code, and other applicable State and local regulations intended to reduce potential impacts associated with substantial adverse effects changes. The proposed Zoning Code Update does not identify any new sites for urban uses that were not previously analyzed in the General Plan Update EIR and therefore would not change the potential locations for urban uses and associated potential for cultural, historic, or archaeological resources to be affected.

As such, the proposed project **would not result in new impacts or impacts that would be substantially increased in severity** as compared with that addressed in the City's General Plan Update EIR.

Impact 3.5-2: General Plan implementation would not lead to the disturbance of any human remains.

The General Plan Update EIR (page 3.5-17) found that there would be **less-than-significant** impacts related to disturbance of human remains with implementation of General Plan Policies RC-10.9 through RC-10.11 and Implementation Actions RC-10a and RC-10j. General Plan Policies and Implementing Actions would minimize adverse effects related to disturbance of human remains, such as Implementing Action RC-10j, which requires compliance with the provisions of California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097.98 in the event that human remains, including Native American human remains, are inadvertently discovered during development activities. Future development within CMU and DMU zoned areas could affect known historical and archaeological resources or unknown historical and archaeological resources which have not yet been identified. Future projects would be evaluated for conformance with the City's General Plan Update, Municipal Code, and other applicable State and local regulations intended to reduce potential impacts in the event human remains are inadvertently discovered during development activities. The proposed Zoning Code Update does not identify any new sites for urban uses that were not previously analyzed in the General Plan Update EIR and therefore would not change the potential locations for urban uses or required adherence to applicable State and local regulations for inadvertent discovery of human remains, including Native American human remains. As such, the proposed project **would not result in new impacts or impacts that would be substantially increased in severity** as compared with that addressed in the City's General Plan Update EIR.

Impact 3.5-3: General Plan implementation would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074, 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.

The General Plan Update EIR (page 3.5-19 and 3.5-20) found that there would be **less-than-significant** impacts related to tribal cultural resources with adherence to General Plan Update Policies RC-10.1 through RC-10.4, RC-10.6, and RC-10.11, and Implementation Actions RC-10a, RC-10b, RC-10d, and RC-10j, as well as State and local guidelines that would provide an opportunity to identify, disclose, and avoid or minimize the disturbance of and impacts to a tribal cultural resource through tribal consultation and CEQA review procedure. General Plan Policies and Implementing Actions would minimize adverse effects on tribal cultural resources, such as Implementing Action RC-10j, which requires compliance with the provisions of California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097.98 in the event that Native American human remains are inadvertently discovered during development activities. As noted previously, an updated SLF search was requested from the California NAHC. The NAHC replied on June 11, 2024, and indicated that the SLF search was negative. The proposed Zoning Code Update is focused on providing clear and objective guidance to facilitate investment in areas designated CMU and DW in the General Plan and that propose the CMU and DMU Zoning Districts. The Zoning Code revisions would not direct urban development into areas known by the City to be sensitive for cultural or tribal cultural resources and existing policies, implementation actions and State and local regulations would continue to be required for proposed projects in the CMU and DMU areas. Therefore, implementation of the proposed Zoning Code Update would **not result in new impacts or impacts that would be substantially increased in severity** as compared with that addressed in the City's General Plan Update EIR, and this analysis is incorporated by reference.

3.6 GEOLOGY AND SOILS

As detailed in Section 1.1.4 of this Draft SEIR, there is **no change in impact** for the proposed project compared to that addressed in the General Plan Update EIR and the Addendum to the EIR.

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3.7 GREENHOUSE GASES, CLIMATE CHANGE, AND ENERGY

Emissions of greenhouse gases (GHGs) have the potential to adversely affect the environment because such emissions contribute cumulatively to global climate change. Cumulative emissions from many projects and activities affect global GHG concentrations and the climate system. GHG emissions disperse broadly and are a global concern because of their relatively long atmospheric lifetimes. Therefore, the total amount and types of GHG emissions, regardless of their location, have the most significant effect on climate change globally.

Section 3.7, "Greenhouse Gases, Climate Change, and Energy," of the General Plan Update EIR (pages 3.7-1 to 3.7-57 and 4.0-10 to 4.0-12) described existing GHG emissions and climate change linkages, effects of global climate change and energy use. Section 3.7, "Greenhouse Gases, Climate Change, and Energy," of the General Plan Update EIR provides the effects of global climate change, summarizes applicable regulations, analyzes the potential short-term construction and long-term operational impacts of GHG emissions and energy use from the implementation of the City's existing General Plan Update, and identified implementation actions to reduce significant impacts from GHG emissions. That information is hereby incorporated by reference into this Draft SEIR, summarized below, and summarized in the Executive Summary of this Draft SEIR.

This section provides updated information related to the environmental setting, the regulatory setting, and potential adverse physical environmental effects, where applicable, attributable to the proposed Zoning Code Update.

3.7.1 EXISTING CONDITIONS

REGULATORY SETTING

The Regulatory Setting in the General Plan Update EIR is hereby incorporated by reference (General Plan Update EIR, pages 3.7-6 to 3.7-25).

UPDATES TO THE REGULATORY SETTING

Since the General Plan Update EIR was certified, there have been regulatory updates that would reduce GHG emissions in the U.S. and California.

Greenhouse Gas Emissions Standards for Heavy-Duty Vehicles – Phase 3

On March 29, 2024, the EPA announced a final rule, "Greenhouse Gas Emissions Standards for Heavy-Duty Vehicles – Phase 3," that sets stronger standards to reduce greenhouse gas emissions from heavy-duty vehicles beginning in model year 2027. The new standards will be applicable to heavy-duty vocational vehicles (such as delivery trucks, refuse haulers, public utility trucks, transit, shuttle, school buses, etc.) and tractors (such as day cabs and sleeper cabs on tractor-trailer trucks).

Assembly Bill 1279

For the post-2030 period, Executive Order (EO) B-55-18 established a statewide goal of achieving carbon neutrality as soon as possible, but no later than 2045, and achieving and maintaining net negative emissions thereafter. Signed September 16, 2022, AB 1279, the California Climate Crisis Act, codified EO B-55-18. This bill declares the policy of the state both to achieve net zero greenhouse gas emissions as soon as possible, but no

later than 2045, and achieve and maintain net negative greenhouse gas emissions thereafter. It also requires that by 2045 statewide anthropogenic greenhouse gas emissions are reduced to at least 85 percent below the 1990 levels.

2022 Climate Change Scoping Plan Update

The 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan) was approved by California Air Resources Board (CARB) in December of 2022 and is the most current update to the Climate Change Scoping Plan. The 2022 Scoping Plan lays out a path to achieve carbon neutrality by 2045 or earlier, outlining a technologically feasible, cost-effective, and equity-focused path to achieve the state's climate target. This plan extends and expands upon previous plans with a target of reducing anthropogenic emissions to 85 percent below 1990 levels by 2045, as directed by AB 1279. This plan also takes the step of adding carbon neutrality as a science-based guide and touchstone for California's climate work. The plan outlines how carbon neutrality can be achieved. The 2022 Scoping Plan Update focuses on actions needed to achieve carbon neutrality, including bold steps to reduce GHGs to meet the anthropogenic emissions target and by expanding actions to capture and store carbon through the state's natural and working lands and using a variety of mechanical approaches.

California Building Standards Code

Title 24 is California Building Standards Code and includes the Energy Code requirements in Title 24, Part 6, and the California Green Building Standards Code (CALGreen) in Title 24, Part 11. The Energy Code requires the design of building shells and building components to conserve energy. This includes the heating, ventilation and air conditioning (HVAC) system; water heating; and some fixed lighting. Non-building energy use, or "plug-in" energy use, is not covered by Title 24. The 2022 Energy Code is the most updated to the energy code and became effective January 1, 2023. The California Energy Commission updates the energy code standards every three years; the proposed standards for the 2025 Energy Code will be adopted in 2024 with an effective date of January 1, 2026. The 2022 Energy Code includes energy efficiency measures such as encouraging efficient electric heat pumps, establishing electric-ready requirements for new homes, expanding solar photovoltaic and battery storage standards, and strengthening ventilation standards. In addition to strengthening standards, updates allow consideration and possible incorporation of new energy-efficient technologies and methods. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. The Building Standards Code is enforced through the local plan check and building permit process. Local government agencies may adopt and enforce additional energy standards for new buildings as reasonably necessary related to local climatologic, geologic, or topographic conditions, provided that these standards exceed those provided in the California Energy Code. The City has adopted these energy efficiency standards and the City's Climate Action Plan requires developers to exceed Title 24 energy efficiency standards in place at the time of development by at least 10 percent.

San Joaquin Council of Governments Regional Transportation Plan and Sustainable Communities Strategy

The current Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS) produced by San Joaquin Council of Governments (SJCOG) was adopted in 2022. The 2022 RTP/SCS sets forth regional transportation policy and provides capital program planning for regional, state, and federally funded projects. The 2022 RTP/SCS carries forward the policies and some of the strategies from the 2018 RTP/SCS and provides new

strategies that underwent an extensive qualitative and quantitative evaluation to determine their performance related to VMT, transit ridership, GHG emissions, and housing costs.

ENVIRONMENTAL SETTING

The existing environmental setting is provided in the General Plan Update EIR (General Plan Update EIR, pages 3.7-1 to 3.7-6) and is hereby incorporated by reference.

3.7.2 ENVIRONMENTAL IMPACTS

THRESHOLDS FOR DETERMINING SIGNIFICANCE

The thresholds for evaluating the significance of impacts for this analysis are based on the checklist in Appendix G of the CEQA Guidelines and are the same as those used in the General Plan Update EIR. The proposed Zoning Code Updates would have a significant impact on the environment associated with GHG emissions or energy if it would:

- generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment;
- conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs;
- result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or
- conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Further information related to thresholds of significance is provided in the General Plan Update EIR (General Plan Update EIR, pages 3.7-23 to 3.7-57) and is hereby incorporated by reference.

IMPACTS AND MITIGATION MEASURES

Impact 3.7-1: Would not generate GHG emissions that could have a significant impact on the environment.

The General Plan Update EIR (pages 3.7-6 through 3.7-43) found a **less-than-significant** impact associated with the generation of GHG emissions from implementation of the General Plan Update for both short-term (construction) and long-term (operational) emissions sources.

Short-term GHG emissions sources would be those associated with construction-related activities for buildout of the General Plan Update, including buildout under the proposed Zoning Code Update, such as heavy-duty equipment during demolition, grading, paving, and building construction activities; worker and vendor trips to and from project sites; and material and soil hauling trips. Construction activities are short-term and cease to emit GHG emissions upon completion, unlike operational emissions which are continuous each year until operation of the land use ceases. As described in the General Plan Update EIR (page 3.7-24), construction-related GHG emissions typically contribute less than one percent to a project's annual GHG inventory.

Long-term GHG emissions associated with operation and use of future development projects under the General Plan Update, including development under the Zoning Code Update, would be generated from vehicle trips,

natural gas usage, electricity consumption and indirect usage of electricity for water and wastewater conveyance, and disposal of solid waste. The proposed Zoning Code changes do not change the overall development assumptions as presented in the General Plan Update; therefore, GHG emissions generated by future development under the Zoning Code Update would not generate new GHG emissions beyond what was included in the General Plan Update EIR.

Under the proposed Zoning Code Update, the CMU Zoning District provides for residential development, with a focus on higher-density residential development, employment, retail, commercial services, and professional offices, and the DMU Zoning District provides for the mix of retail and service commercial, office, and multiple-family residential uses that are intended to preserve and enhance the historic and pedestrian-scale character of downtown Manteca. Both the CMU and DMU Zoning Districts provide for a mix of uses that aim to locate residential uses near employment opportunities, neighborhood amenities such as open space and parks, retail, and commercial services, thereby reducing vehicle trips and distances and associated mobile GHG emissions. Additionally, development under the proposed Zoning Code Update would add dwelling units and other anticipated land uses (e.g., retail, office, commercial, lodging) primarily in infill locations such that the new development would be in proximity to existing development. Infill development and mixed-use development would help to reduce VMT and the associated mobile GHG emissions by providing development that promotes walkability and the use of existing and planned transit services.

The City's Climate Action Plan (CAP) includes several strategies related to compact and mixed-use development, including CD-1, which encourages projects that are contiguous to existing development; MUD-1, which encourages mixed-use development by ensuring that new growth areas designate mixed-use areas at optimal locations; and MUD-4, which encourages downtown infill and redevelopment projects that provide housing in suitable sites to increase activity that would support commercial businesses. By providing mixed-use development, primarily in infill locations, implementation of the Zoning Code Update would be consistent with these CAP strategies. Additionally, through implementation of General Plan Update policies and implementation strategies including Policies RC-4.6 and RC-4.9 and Implementation Actions RC-4b and RC-4c, future development with the CMU and DMU Zoning Districts would also be consistent with CAP strategies that aim to reduce energy- and waste-related GHG emissions, including ENB-1, which requires developers to exceed Title 24 energy efficiency standards by at least 10 percent or provide solar panels or other non-building-related energy efficiency measures where exceeding Title 24 standards is infeasible; SG-1, which encourages development projects to provide solar power as part of their strategy to reduce GHG emissions; and W-1, which requires new multi-family and commercial development projects to provide adequate locations to segregate recyclable materials.

Future development within the proposed CMU and DMU Zoning Districts under the Zoning Code Update would be required to comply with General Plan Update policies and adopted federal, state, and local regulations for the reduction of GHG emissions, including the CAP. Furthermore, as noted above, the proposed CMU and DMU Zoning Districts under the proposed Zoning Code Update would promote development patterns that would reduce mobile source and building operations GHG emissions. Therefore, consistent with the General Plan Update EIR, this impact would be less than cumulatively considerable and less than significant and implementation of the proposed project would **not result in new impacts nor impacts that would be substantially increased in severity** as compared with that addressed in the General Plan Update EIR.

Impact 3.7-2: Would not conflict with adopted plans, policies, or regulations adopted for the purpose of reducing greenhouse gas emissions.

The General Plan Update EIR (page 3.7-43) found a **less than significant** impact related to consistency with adopted plans, policies, or regulations adopted for the purpose of reducing GHG emissions, including the City's CAP, the SJCOG 2018 2018 RTP/SCS, and the 2017 Scoping Plan.

As described in Impact 3.7-1, future development under the Zoning Code Update would be required to comply with General Plan Update policies and the CAP; therefore, the Zoning Code Update would not conflict with the CAP. Development under the Zoning Code Update would assist in implementation and further progress related to CAP strategies including CD-1, MUD-1, and MUD-4 as described previously under Impact 3.7-1.

The General Plan Update EIR found that the General Plan Update would not conflict with the implementation of regional transportation-related GHG targets outlined in SJCOG's 2018 RTP/SCS and would result in lower emissions than those forecasted in the 2018 RTP/SCS. The 2022 RTP/SCS, which is the current SJCOG RTP/SCS and was adopted since the General Plan Update EIR, used population, employment, and VMT projections consistent with the 2018 RTP/SCS for Manteca, as the current General Plan Update for Manteca was not adopted until 2023. Because development under the Zoning Code Update was accounted for under the General Plan Update and the General Plan Update EIR, the Zoning Code Update would similarly not conflict with the SJCOG RTP/SCS. Additionally, implementation of the Zoning Code Update would align with policies and supportive strategies of the 2022 RTP/SCS, including Strategy 4, which aims to improve air quality by reducing transportation-related emissions, Strategy 6, which encourages infill development and development near transit, including transit-oriented development to maximize existing transit investments and Strategy 12, which prioritizes projects that make more efficient use of the existing road network. Development within the CMU and DMU Zoning Districts under the Zoning Code Update would be primarily infill development and would locate residential land uses in proximity to employment opportunities, retail, and commercial services, thereby reducing vehicle trips and associated mobile GHG emissions, providing development near existing transit services, and making use of existing vehicle, pedestrian, and bicycle facilities.

The General Plan Update EIR also found that the General Plan Update would not conflict with provisions of the 2017 Scoping Plan or applicable regulations related to GHG reductions. Since adoption of the General Plan Update EIR, the 2022 Scoping Plan was adopted, which extends and expands on previous plans with a target of reducing anthropogenic emissions to 85 percent below 1990 levels by 2045, lays out a path to achieve carbon neutrality by 2045 or earlier, and contains actions that are needed to reduce GHG emissions consistent with the targets outlined in the 2022 Scoping Plan. Carbon neutrality is not a standard to be achieved on an individual project basis or even by an individual municipality, but rather, through the implementation of best available technology, increasingly stringent regulations to reduce emissions from various sources, state and regional plans to reduce VMT and increase carbon-free vehicle use, and carbon capture and sequestration actions focused on the natural and working lands sector, as identified in the 2022 Scoping Plan. Many of the GHG-reducing actions are meant to be achieved statewide and are not directly applicable to the City or the Zoning Code Update, such as targets for zero emission vehicle and locomotive sales, aviation fuel demand, offshore wind production, among others outlined in Table 2-1 of the 2022 Scoping Plan. Actions that can be implemented by the City and are applicable to the Zoning Code Update are related to energy conservation and electrification in residential and commercial development. Compact, mixed-use, infill development under the Zoning Code Update would not change the overall development assumptions as presented in the City's adopted General Plan Update and as

analyzed in the General Plan Update EIR, but would result in GHG reductions through reduced VMT and lower energy requirements for buildings, consistent with the 2022 Scoping Plan.

To support efforts of local governments to address GHG emissions in their planning efforts and environmental review of new projects, the California Air Pollution Control Officers Association (CAPCOA) developed the *Handbook for Analyzing Greenhouse Gas Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity: Designed for Local Governments, Communities, and Project Developers* (CAPCOA Handbook), most recently updated in 2021 (CAPCOA 2021). Future development under the Zoning Code Update would be consistent with several measures in the CAPCOA Handbook that have quantifiable GHG emissions reduction potential. These measures include T-1 and T-2, Increase Residential Density and Increase Job Density, which both have the potential for up to 30 percent reduction of GHG emissions from project VMT due to increased residential and job densities resulting in shorter and fewer trips of single-occupancy vehicles. By providing compact, multi-family housing development and infill housing, the Zoning Code Update would provide development with increased residential density in close proximity to existing employment opportunities. Through consistency with CAP measure ENB-1, which directs the City to require developers exceed Title 24 energy efficiency standards by at least 10 percent, the Zoning Code Update would implement CAPCOA Handbook Measure E-1, which requires new buildings to exceed the building energy standards of the 2019 version of Title 24. CAP Measure ENB-1 is not specific to a certain version of the Title 24 standards; therefore, as Title 24 standards are revised over time, energy efficiency requirements will continue to become more stringent and new projects will be more energy efficient. However, as reported in the General Plan Update EIR, mobile sources of GHG emissions are the most important source, accounting for 50 percent of total emissions, and therefore the focus of the CMU and DW land use designations on mixing of different uses in proximity that would promote walking, bicycling, and use of transit, and that would help to shorten vehicle trips, is relatively more important compared to building efficiency measures (see page 3.7-25 of the Recirculated Draft EIR). The proposed CMU and DMU Zoning Districts implement these General Plan update land use designations, and help to facilitate mixed-use development consistent with the City's adopted General Plan.

Therefore, because the proposed CMU and DMU Zoning Districts would accommodate a more diverse mix of uses in locations with existing infrastructure, and development within the DMU Zoning District in particular would facilitate compact, mixed-use development in infill locations with access to existing and planned transit, GHG emissions rates associated with development under the Zoning Code Update would be reduced compared to what was analyzed in the General Plan Update EIR for the city as a whole. For this reason, and those described above with regard to consistency with the SJCOG RTP/SCS, 2022 Scoping Plan, and the City's CAP, and consistent with the General Plan EIR, this impact would remain less than significant and implementation of the proposed project would **not result in new impacts nor impacts that would be substantially increased in severity** as compared with that addressed in the General Plan Update EIR.

Impact 3.7-3: Would not result in a significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources, or conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

The General Plan Update EIR (pages 3.7-44 through 3.7-57) found that implementation of the General Plan Update would result in a **less-than-significant** impact related to wasteful, inefficient, or unnecessary consumption of energy resources and consistency with state or local plans for renewable energy or energy efficiency. Buildout of the General Plan Update would consume energy resources for the operation of buildings (electricity and natural gas), for on-road vehicle trips (e.g., gasoline and diesel fuel), and from off-road construction activities (e.g., diesel

fuel) associated with buildout of the General Plan Update. Developers of individual projects under the General Plan Update would be responsible for conserving energy, to the extent feasible, and would be required to comply with the latest California Building Standards Code, including the Energy Code requirements in Title 24, Part 6, and CALGreen in Title 24, Part 11, and the General Plan Update policies and implementation actions that reduce energy usage, promote renewable and/or alternative energy sources, and encourage pedestrian and bicycle modes of transportation.

Future development under the Zoning Code Update would consume energy resources from the same sources as analyzed in the General Plan Update EIR, including electricity and natural gas, and fuel consumption from on-road and off-road vehicles. Relatively compact, mixed-use, infill development under the Zoning Code Update would result in lower energy requirements for buildings and reduced VMT, thereby reduced fuel consumption associated with on-road vehicle travel. As detailed in the General Plan Update EIR, developers of individual projects, including those within the CMU and DMU Zoning Districts proposed under the Zoning Code Update, would be required to comply with CalGREEN standards and General Plan Update policies and implementation actions, which would reduce energy consumption from construction and operation of development. General Plan Update Policies RC-5.3 and 5.4 and Implementation Actions RC-5a and RC-5b would reduce energy consumption during construction and operation of development under the Zoning Code Update by requiring compliance with the most recent CalGREEN standards; implementing design standards and best practices to promote energy conservation such as standards related to building siting orientation, landscape placement, window placement, building eaves, and roof overhands; requiring large energy users to implement an energy conservation plan as part of project review and approval; and reviewing development projects to ensure compliance with Title 24, the General Plan Update, and the City Municipal Code. Additionally, energy resources consumed by construction and operation of development under the Zoning Code Update would continue to improve in energy efficiency over time as Pacific Gas & Electric Company (PG&E) (the electricity and natural gas utility provider in Manteca) implements statewide programs, such as the Renewable Portfolio Standard, to increase the proportion of renewable energy within its energy portfolio. Because the proposed Zoning Code changes would help to facilitate relatively compact, mixed-use, infill development in locations with access to existing services and infrastructure and both existing and planned transit service, such development would help to improve energy efficiency Therefore, consistent with the General Plan Update EIR, this impact would remain less than significant and implementation of the proposed project would **not result in new impacts nor impacts that would be substantially increased in severity** as compared with that addressed in the General Plan Update EIR.

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3.8 HAZARDS AND HAZARDOUS MATERIALS

As detailed in Section 1.1.4 of this Draft SEIR, there is **no change in impact** for the proposed project compared to that addressed in the General Plan Update EIR and the Addendum to the EIR.

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3.9 HYDROLOGY AND WATER QUALITY

As detailed in Section 1.1.4 of this Draft SEIR, there is **no change in impact** for the proposed project compared to that addressed in the General Plan Update EIR and the Addendum to the EIR.

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3.10 LAND USE, POPULATION AND HOUSING

As detailed in Section 1.1.4 of this Draft SEIR, there is **no change in impact** for the proposed project compared to that addressed in the General Plan Update EIR and the Addendum to the EIR.

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3.11 MINERAL RESOURCES

As detailed in Section 1.1.4 of this Draft SEIR, there is **no change in impact** for the proposed project compared to that addressed in the General Plan Update EIR and the Addendum to the EIR.

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3.12 NOISE

Section 3.12, "Noise," of the General Plan Update EIR included a summary of noise fundamentals, a description of ambient noise conditions, a summary of applicable regulations related to noise and vibration, and an analysis of the potential impacts resulting from the implementation of the General Plan Update (General Plan Update EIR, pages 3.12-1 to 3.12-43). That information is hereby incorporated by reference, and summarized in the "Executive Summary" of this Draft SEIR.

This section provides updated information related to the environmental setting, the regulatory setting, and potential adverse physical environmental effects attributable to the City's Zoning Code Update, where applicable.

3.12.1 EXISTING CONDITIONS

REGULATORY SETTING

The "Regulatory Setting" in the General Plan Update EIR is hereby incorporated by reference (General Plan Update EIR, pages 3.12-11 to 3.12-17).

UPDATES TO THE REGULATORY SETTING

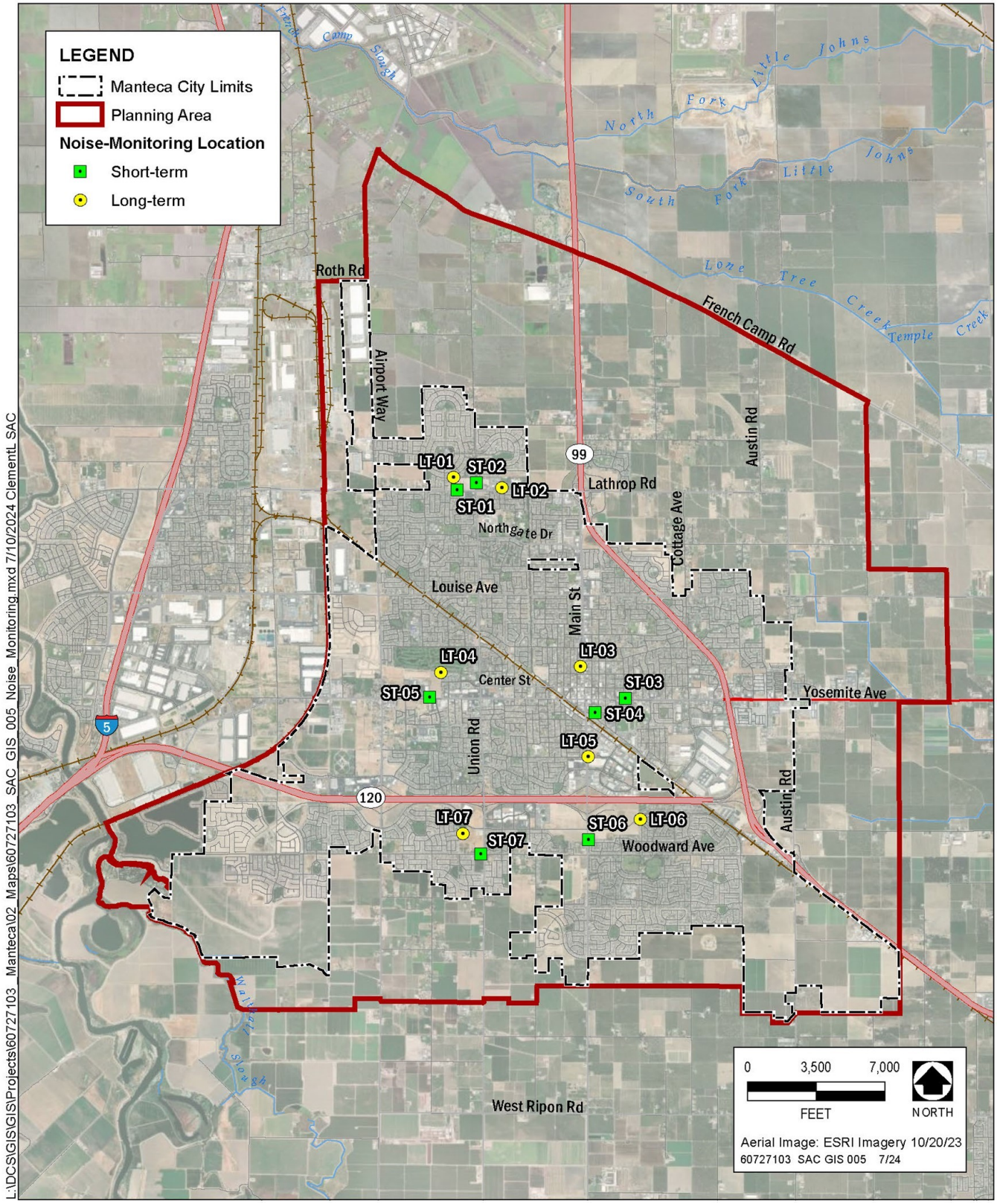
No updates to the regulatory setting are required.

ENVIRONMENTAL SETTING

The existing environmental setting is provided in the General Plan Update EIR (General Plan Update EIR, pages 3.12-1 to 3.12-11), is current as it relates to potential effects attributable to the Zoning Code Update, and is hereby incorporated by reference.

UPDATES TO THE ENVIRONMENTAL SETTING

As part of this Supplemental EIR, new measurement sites were identified to update and expand the noise analysis. Long-term (24-hour) measurements and short-term (15-minute) measurements were conducted in June and July of 2024. The results of the updated continuous 24-hour ambient noise monitoring are summarized in Table 3.12-6a and Table 3.12-7a, respectively. Figure 3.12-1 shows the locations of the new noise monitoring sites. The results of the new long-term and short-term measurements are shown in Table 3.12-6b and Table 3.12-7b, respectively.



Source: City of Manteca 2022, adapted by AECOM 2024,

Figure 3-3 Noise Monitoring Locations

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Table 3.12-6a Existing Continuous 24-Hour Ambient Noise Monitoring Results

Site	Location	L_{DN} (dBA)	Daytime L_{EQ} Low-High (Average)	Daytime L_{50} Low-High (Average)	Daytime L_{MAX} Low-High (Average)	Nighttime L_{EQ} Low-High (Average)	Nighttime L_{50} Low-High (Average)	Nighttime L_{MAX} Low-High (Average)
A	ACE Lathrop/Manteca Station	79	65-77 (70)	61-71 (66)	70-101 (78)	58-71 (61)	48-57 (51)	76-110 (83)
B	Manteca Skateboard Park	76	70-76 (74)	57-64 (60)	47-51 (50)	45-51 (47)	44-51 (47)	47-51 (50)
C	French Camp Road at S. Austin Rd.	66	56-71 (67)	47-56 (51)	61-78 (65)	49-63 (55)	45-54 (50)	60-103 (73)
D	North of CA-99 at Cottage Avenue	82	75-79 (77)	73-78 (75)	74-93 (79)	70-75 (73)	68-73 (70)	73-93 (85)
E	CA-120	72	64-69 (66)	59-64 (61)	66-91 (75)	63-70 (65)	57-63 (61)	64-90 (78)
F	South Airport Way abandoned buildings	69	61-67 (65)	56-62 (59)	62-74 (68)	61-67 (64)	56-62 (60)	61-72 (66)
G	Airport Way and West Louise Avenue	71	61-67 (64)	57-63 (61)	61-74 (67)	60-64 (62)	56-62 (59)	61-72 (65)
H	CA-99 access road, north of Lathrop Road	69	63-69 (65)	57-64 (60)	65-85 (72)	61-67 (63)	57-63 (60)	64-85 (74)
I	North Main Street and Northgate Drive	67	62-68 (64)	57-63 (59)	63-74 (68)	57-63 (61)	56-63 (60)	63-72 (67)
J	South of CA-120, west of Hart Ln.	71	63-69 (65)	55-63 (58)	65-80 (70)	55-68 (60)	55-63 (58)	65-78 (70)

Notes: Daytime (7:00 AM – 10:00 PM); Nighttime (10:00 PM – 7:00 AM)
dBA = A-weighted decibel
L_{dn} = Day-Night Average Sound Level
L_{eq} = Equivalent Sound Level
L_{max} = Maximum Noise Level
L_x = Statistical Descriptor
Source: Saxelby Acoustics 2022; AECOM 2024

Table 3.12-6b Existing Continuous 24-Hour Ambient Noise Monitoring Results

Site	Address	L_{dn}, dBA	Daytime L_{eq} Low-High (Average)	Daytime L_{50} Low-High (Average)	Daytime L_{max} Low-High (Average)	Nighttime L_{eq} Low-High (Average)	Nighttime L_{50} Low-High (Average)	Nighttime L_{max} Low-High (Average)
LT-01	Park, by 1391 Maple Valley Street	66	43 - 64 (55)	35 - 53 (39)	59 - 80 (69)	47 - 64 (60)	39 - 61 (49)	60 - 73 (67)
LT-02	Southeast Corner, Tidewater Landing Apartments	58	50 - 54 (52)	44 - 45 (44)	62 - 76 (69)	47 - 55 (51)	39 - 48 (43)	61 - 79 (67)
LT-03	By backyard of 328 North Maple Avenue	63	55 - 67 (59)	41 - 47 (44)	69 - 89 (78)	51 - 59 (56)	39 - 46 (42)	65 - 86 (75)
LT-04	Northwest Corner of Stonegate Apartments (1451 West Center Street)	59	47 - 68 (58)	40 - 47 (44)	56 - 89 (68)	49 - 54 (51)	44 - 48 (46)	59 - 80 (69)
LT-05	Vacant Lot across 925 S Main Street	68	63 - 66 (64)	47 - 49 (48)	79 - 89 (84)	58 - 62 (60)	43 - 48 (46)	78 - 84 (80)
LT-06	Vacant Lot by Backyard of 701 Donovan Street	67	60 - 63 (62)	49 - 56 (53)	70 - 86 (76)	57 - 62 (60)	46 - 55 (50)	69 - 76 (73)
LT-07	Tony B. Marshall Park (1403 Meridian Street)	60	51 - 56 (53)	48 - 50 (49)	59 - 78 (69)	52 - 54 (53)	45 - 51 (48)	63 - 76 (67)

Notes: Daytime (7:00 AM – 10:00 PM); Nighttime (10:00 PM – 7:00 AM)
dBA = A-weighted decibel
L_{dn} = Day-Night Average Sound Level
L_{eq} = Equivalent Sound Level
L_{max} = Maximum Noise Level
L_x = Statistical Descriptor
Source: AECOM 2024

Table 3.12-7a Existing Short-Term Community Noise Monitoring Results, dB

Site	Location	Time	L_{eq}	L_{50}	L_{max}	Notes
1	BMX Park on Spreckles Avenue	1:05 p.m.	64	63	77	Primary noise source is Spreckles Ave., with train horn and crossing bells causing L_{max}.
2	West of CA-99	10:53 a.m.	76	75	84	CA-99 is the primary noise source, with some from Frontage Rd. traffic
3	Raymus Village Park	11:24 a.m.	57	57	63	CA-99 is the primary noise source.
4	North Segment of South Airport Way	3:32 p.m.	74	71	87	South Airport Way is the primary noise source. Some audible noise from truck depot.
5	Intersection of Airport Way and Almondwood Drive	1:32 a.m.	65	55	80	Primary source is South Airport Way.
6	Intersection of Austin Rd. and Palm Ave.	10:05 a.m.	71	62	85	Austin Rd. is primary noise source. Secondary noise source is traffic on Palm Ave.
7	Dead end of Vasconcellos Ave, adjacent to El Rancho Mobile Home Park	12:24 p.m.	57	54	71	CA-99 is primary noise source. Secondary source is SR-120 and Yosemite Ave.

All Community Noise Measurement Sites Have a Test Duration of 10:00 Minutes.
dB = decibel
L_{eq} = Equivalent Sound Level
L_{max} = Maximum Noise Level
L_x = Statistical Descriptor
SR = State Route
Source: Saxelby Acoustics 2022; AECOM, 2024

Table 3.12-7b Existing Short-Term Community Noise Monitoring Results, dB

Site	Address	Start Time	L_{eq}	L_{50}	L_{max}	Notes
ST-01	Vacant Lot by 1425 West Lathrop Road	11:34	69.4	65.9	82.0	Primary source is Roadway traffic
ST-02	Vacant Lot (2158 South Union Road)	13:31	69.1	63.4	92.2	Primary source is Roadway traffic
ST-03	Vacant Lot (605 East Yosemite Avenue)	14:05	66.0	61.3	86.1	Primary source is Roadway traffic
ST-04	by backyard of 147 South Lincoln Avenue	14:25	54.1	50.3	73.2	Primary source is Roadway traffic
ST-05	Southeast Corner of Parking Lot at 1721 West Yosemite Avenue	15:28	65.3	63.8	77.3	Primary source is Roadway traffic
ST-06	Vacant Lot by Backyard of 125 Catmint Street	16:12	63.4	62.2	74.6	Primary source is Roadway traffic
ST-07	Vacant Lot across Law Office at 1825 South Union Road	16:34	62.5	56.7	81.3	Primary source is Roadway traffic

Notes: All Community Noise Measurement Sites Have a Test Duration of 15:00 Minutes.
dB = decibel
L_{eq} = Equivalent Sound Level
L_{max} = Maximum Noise Level
L_x = Statistical Descriptor
Source: AECOM 2024

The results of the community noise survey shown in Tables 3.12-6a, 3.12-6b, 3.12-7a and 3.12-7b indicate that existing transportation (traffic) noise sources were the major contributor of noise observed during daytime hours.

3.12.2 ENVIRONMENTAL IMPACTS

THRESHOLDS FOR DETERMINING SIGNIFICANCE

The thresholds for evaluating the significance of impacts for this analysis are based on the environmental checklist in Appendix G of the CEQA Guidelines and are the same as those used in the General Plan Update EIR. These thresholds are used to evaluate potential adverse physical environmental effects attributable to the implementation of the Zoning Code Updates, with a focus on impacts beyond those addressed in the General Plan Update EIR. The proposed Zoning Code Updates would have a significant impact on the environment associated with noised if it would:

- generate 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;
- generation of excessive groundborne vibration or groundborne noise levels; or
- 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

IMPACTS AND MITIGATION MEASURES

Impact 3.12-1: General Plan implementation may result in exposure to significant traffic noise sources.

The General Plan Update EIR (pages 3.12-20 through 3.12-34) found that there would be **significant and unavoidable** impacts associated with exposure to significant traffic noise sources, even with implementation of policies S-6.1 through S-6.4, S-6.7 through S-6.12, S-6.15 and implementation actions S-6a through S-6i. Buildout of the CMU and DMU Zoning Districts would generate and attract vehicular traffic, which would increase traffic noise levels along existing and future roadways, and could generate noise which exceed the existing General Plan Update's noise standards for noise-sensitive uses. Proposed traffic noise levels under the General Plan Update presented in Tables 3.12-4 and Table 3.12-5 in the General Plan Update EIR would still be representative of the majority of sensitive receptors located closest to roadway segments analyzed in the General Plan Update and applicable to the proposed Zoning Code Update. Buildout of the General Plan Update, including within the proposed CMU and DMU Zoning Districts, may contribute to an exceedance of the City's transportation noise standards and/or result in significant increases in traffic noise levels at existing sensitive receptors. As illustrated in the tables above, traffic associated with buildout of the General Plan Update, including within the CMU and DMU Zoning Districts, along with regional growth is expected to increase noise levels along city streets and regional thoroughfares. There are several streets and roads where increased traffic volumes would result in a perceptible increase in noise level (by at least 3 dB). The predicted traffic noise levels represent conservative potential noise exposure, including the assumption that all intervening surfaces between the transportation noise source and the noise receptor are hard surfaces, such as concrete and asphalt. In reality, noise levels will vary, because the calculations used to estimate the noise levels do not assume natural or artificial shielding or reflection from existing or proposed structures. Actual noise levels will vary from day to day, depending on factors, such as local traffic volumes and speed, shielding from existing and proposed structures, variations in attenuation rates resulting from changes in surface parameters, and meteorological conditions. The

proposed CMU and DMU Zoning Districts do not change the amount or type of development compared to that assumed for analytical purposes for the General Plan Update EIR. Therefore, there are **no proposed changes that would result in any new traffic noise impacts or increase in severity** of any previously disclosed impact.

Impact 3.12-2: General Plan implementation may result in exposure to excessive railroad noise sources.

The General Plan Update EIR (pages 3.12-34 through 3.12-36) found that there would be less than significant impacts related to excessive railroad noise sources with implementation of policies S-6.1 through S-6.4, S-6.7 through S-6.9, S-6.12, S-6.16, and implementation actions S-6a S-6e, S-6f, S-6h, and S-6i, which are intended to minimize exposure to excessive noise, including those associated with railroad operations. Development within the CMU and DMU Zoning Districts, including infill development in areas adjacent to railroad lines, could expose land uses to unacceptable exterior noise levels. However, future developments would adhere to General Plan policies and implementation actions to ensure future land uses are not exposed to excessive noise levels beyond Citywide standards, such as Policy S-6.12, which requires new residential development backing onto a railroad right-of-way to incorporate appropriate noise-attenuation measures to meet Citywide performance standards identified in the General Plan Update. The proposed Zoning Code Update would not allow development to be located near railroad operations or locate noise sensitive uses adjacent or railroad right-of-way beyond that assumed and disclosed in the General Plan Update EIR. Therefore, the proposed Zoning Code Update **would not change the findings or increase the severity of any impacts related to exposure to excessive railroad noise sources**.

Impact 3.12-3: Implementation of the General Plan could result in the generation of excessive stationary noise sources.

The General Plan Update EIR (pages 3.12-36 through 3.12-38) found that there would be **less-than-significant** impacts related to generation of excessive stationary noise sources with implementation of Policies S-6.4, S-6.5, S-6.7, S-6.8 and Implementation Actions S-6a, S-6e, and S-6f. The proposed CMU and DMU Zoning Districts allow land uses and development densities and intensities that are consistent with the CMU and DW General Plan land use designations, and as such, would not involve development that would generate stationary sources of noise beyond that evaluated General Plan Update EIR, though the clear and objective guidance for development in these Zoning Districts could help to facilitate investment within these Zoning Districts. Further, future developments would be required to adhere to General Plan policies and implementation actions to ensure that future land uses are not exposed to excessive stationary noise sources, such as through Implementation Action S-6e, which requires noise to be attenuated to acceptable Citywide standards. Therefore, the proposed Zoning Code Update would **not change the findings or increase the severity of any impacts related to exposure to generation of excessive stationary noise sources.**

Impact 3.12-4: General Plan implementation may result in an increase in construction noise sources.

The General Plan Update EIR (pages 3.12-38 through 3.12-40) found that there would be **less-than-significant** construction noise impacts with implementation of Policy S-6.6 and Implementation Action S-5c, which include updating the City's Noise Ordinance with specific noise reduction measures for construction. While the proposed Zoning Code Update would not propose construction activities that would produce more noise or be located adjacent to noise sensitive uses beyond that assumed and disclosed in the General Plan Update EIR, residences and businesses located adjacent to areas of construction activity would be affected by construction noise during construction within the CMU and DMU Zoning Districts – both from development projects, as well as during

public infrastructure and facility improvements. As described in the General Plan Update EIR, construction could generate maximum noise levels ranging from 85 to 90 dB at a distance of 50 feet, which would attenuate at distance, and higher noise levels would generally occur during a limited period of excavation and site preparation activities near the beginning of a construction period (see pages 3.12-38 and 3.12-39 of the 2022 Recirculated Draft EIR). While much of the development anticipated under the General Plan Update would occur in greenfield settings where construction activities are not located in close proximity to existing, occupied noise-sensitive uses, that would not be as true for the CMU and DMU Zoning Districts. However, construction noise within the CMU and DMU Zoning Districts would occur over a period of several years, be temporary, intermittent, and would vary depending on the nature of the construction activities being performed. Therefore, the proposed Zoning Code Update would **not change the findings or increase the severity of any impacts related to an increase in construction noise sources**.

Impact 3.12-5: General Plan implementation may result in construction vibration.

The General Plan Update EIR (pages 3.12-40 through 3.12-42) found that there would be **less-than-significant** construction vibration impacts with adherence to Section 17.58.070 of the City's Municipal Code, which includes provisions for vibrations, and implementation of Implementation Action S-6c, which requires administrative controls, such as notifying neighbors of scheduled construction activities and scheduling construction activities with the highest potential to produce perceptible vibration to hours with the least potential to affect nearby businesses, in order to ensure that perceptible vibration can be kept to a minimum, and as such would not result in a significant impact with respect to perception. The proposed Zoning Code Update implements the General Plan Update, and in particular the CMU and DW General Plan land use designations, which are intended to facilitate mixed-use development, including relatively compact and infill development. Future development projects within the CMU and DMU Zoning Districts would continue to adhere to appropriate measures to reduce vibration levels from construction. The proposed Zoning Code Update would not involve any changes to construction vibration impacts beyond what was already analyzed in the General Plan Update EIR. Therefore, there are **no changes that would result in any new construction vibration impact or increase in severity** of any previously disclosed impact.

Impact 3.12-6: General Plan implementation may result in exposure to groundborne vibration.

The General Plan Update EIR (pages 3.12-42 through 3.12-43) found that there would be **less-than-significant** groundborne vibration impacts with implementation of Implementation Action S-6j, which requires that individual development projects address potential vibration impacts associated with railroad or trucking operations. As discussed above in Impact 3.12-5, the proposed Zoning Code Update implements the General Plan Update, and in particular the CMU and DW General Plan land use designations, which are intended to facilitate mixed-use development, including relatively compact and infill development. The proposed Zoning Code Update would not involve any changes to existing land use or result in additional groundborne vibration impacts beyond what was already analyzed in the General Plan Update EIR. Therefore, there are **no changes that would result in any new groundborne vibration impact or increase in severity** of any previously disclosed impact.

3.13 PUBLIC SERVICES AND RECREATION

As detailed in Section 1.1.4 of this Draft SEIR, there is **no change in impact** for the proposed project compared to that addressed in the General Plan Update EIR and the Addendum to the EIR.

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3.14 TRANSPORTATION AND CIRCULATION

3.14.1 EXISTING CONDITIONS

REGULATORY SETTING

The "Regulatory Setting" in the General Plan Update EIR is hereby incorporated by reference (General Plan Update EIR, pages 3.14-14 to 3.14-24).

UPDATES TO THE REGULATORY SETTING

San Joaquin Council of Governments Regional Transportation Plan and Sustainable Communities Strategy

The current RTP/SCS produced by SJCOG was adopted in 2022. The 2022 RTP/SCS sets forth regional transportation policy and provides capital program planning for regional, state, and federally funded projects. The 2022 RTP/SCS carries forward the policies and some of the strategies from the 2018 RTP/SCS and provides new strategies that underwent an extensive qualitative and quantitative evaluation to determine their performance related to VMT, transit ridership, GHG emissions, and housing costs.

City of Manteca Local Road Safety Plan

The City of Manteca Local Road Safety Plan (City of Manteca 2023) was adopted in July 2023. The Local Road Safety Plan evaluates the transportation network, non-infrastructure programs and policies within the City, and mitigation measures. The goal of the Local Road Safety Plan is to identify transportation safety initiatives (e.g., projects and programs) and partnerships under engineering, enforcement, education, emergency response, and emerging technologies to continue reducing fatalities and serious injuries in Manteca. Countermeasures included in the Local Road Safety Plan that are likely to address safety concerns within the City include measures such as installing intersection lighting, raised pavement markers and striping, raised medians on approaches; adding pedestrian countdown signal heads, flashing yellow arrows, and signal ahead warning signs at signalized intersections; converting nonsignalized intersections to roundabouts or mini-roundabouts; installing all-way stop control, right or left turn lanes, pedestrian crossings, and raised medians at nonsignalized intersections; and installing pedestrian median fencing, bike lanes, and raised pedestrian crossings on roadway segments. The Local Road Safety Plan also identified 11 priority locations for case studies and further analysis and provided site-specific countermeasures for each priority location.

City of Manteca Traffic Calming Program

Manteca has had a Neighborhood Traffic Calming Program since 2000 and in November 2018, following multiple public requests which subsequently led to a thorough review of current traffic calming issues and traffic calming programs adopted by other local agencies, the City adopted the Manteca Traffic Calming Program and the corresponding Citywide Guidelines for Neighborhood Traffic Management (City of Manteca 2018). The goals of the Traffic Calming Program are to define a process for neighborhoods to sponsor traffic calming plans and identify funding sources for specific streets, areas, or neighborhoods and to provide guidance for the types of traffic calming measures that may be considered, both as part of the neighborhood process and during the City's review of new development applications.

ENVIRONMENTAL SETTING

The existing environmental setting is provided in the General Plan Update EIR (General Plan Update EIR, pages 3.14-1 to 3.14-14) and is hereby incorporated by reference.

3.14.2 ENVIRONMENTAL IMPACTS

THRESHOLDS FOR DETERMINING SIGNIFICANCE

The thresholds for evaluating the significance of impacts for this analysis are based on the environmental checklist in Appendix G of the CEQA Guidelines and are the same as those used in the General Plan Update EIR. These thresholds are used to evaluate potential adverse physical environmental effects attributable to the implementation of the Zoning Code Updates, with a focus on impacts beyond those addressed in the General Plan Update EIR. A significant impact on transportation and c would occur if the Zoning Code Updates would:

- conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b);
- conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities;
- substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or
- result in inadequate emergency access.

Further information related to thresholds of significance is provided in the General Plan Update EIR (General Plan Update EIR, pages 3.14-26 to 3.14-28) and is hereby incorporated by reference.

IMPACTS AND MITIGATION MEASURES

Impact 3.14-1: May result in VMT per dwelling unit and VMT per employee increases that are greater than 85 percent of Baseline conditions.

The General Plan Update EIR (pages 3.14-28 through 3.14-36) found a **significant and unavoidable** impact due to potential VMT per employee increases greater than 85 percent of baseline conditions. The General Plan Update EIR reported that the General Plan Update was not expected to result in VMT per dwelling unit exceeding 85 percent of baseline for residential-related land uses, but that VMT per employee was expected to exceed 85 percent of baseline for employment-related land uses. This result is due to the change in the balance between jobs and housing in Manteca; with a large increase in employment expected under buildout of the General Plan Update, fewer residents are expected to leave the City for employment, but more employees and customers are expected to travel to these employment centers.

The proposed Zoning Code Update changes do not change the overall development assumptions as presented in the City's adopted General Plan Update. However, compared to development throughout the City's Planning Area as a whole, development within the proposed CMU and DMU Zoning Districts would be in mixed-use settings, and particularly for the DMU Zoning District, would be relatively compact, infill development in areas that have existing and proposed transit access. Providing residential development in infill locations would result in reduced

vehicle trips by locating residents in proximity to employment opportunities, retail and commercial services, entertainment, and recreation. Additionally, General Plan Update policies and implementation actions designed to reduce vehicle miles traveled would apply to the Zoning Code Update, thereby further reducing VMT per resident and VMT per employee. General Plan Update Policy C-7.4 and Implementation Action C-7d would directly reduce VMT from future development projects under the Zoning Code Update by requiring incorporation of VMT-reducing measures in proposed development projects and requiring proposed development projects that could have a potentially significant VMT impact to consider reasonable and feasible project modifications and other measures to reduce VMT effects consistent with state guidance on VMT reduction. General Plan Update Policy C-7.6 and Implementation Actions C-2b and C-2c would result in reduced VMT by increasing opportunities to walk, bike, and use transit by incorporating design elements, such as Complete Streets, in planning efforts for improvements to vehicle, pedestrian, and bicycle facilities and updating the City's standard plans to ensure safety and accessibility is prioritized for motorists, pedestrians, and bicyclists. General Plan Update Policies C-2.13, C-2.22, and CF-3.4 require development projects to arrange streets in an interconnected block pattern, thereby improving connectivity and promoting pedestrian and bicycle access.

While development under the Zoning Code Update would potentially result in reduced VMT per dwelling unit and per employee compared to what was determined in the General Plan Update EIR for the city as a whole, and General Plan Update policies and implementation actions would further reduce potential VMT impacts, the extent to which VMT impacts would be reduced under the Zoning Code Update cannot be determined at the time of this analysis and VMT per dwelling unit and per employee may still exceed the reductions needed to achieve state-mandated VMT reductions. Therefore, consistent with the General Plan Update EIR, this impact would remain significant and unavoidable, and implementation of the proposed project would **not result in new impacts nor impacts that would be substantially increased in severity** as compared with that addressed in the General Plan Update EIR.

Impact 3.14-2: May conflict with a program, plan, policy, or ordinance addressing the circulation system, including transit, bicycle, and pedestrian facilities.

The General Plan Update EIR (pages 3.14-36 through 3.14-41) found a **significant and unavoidable** impact related to consistency with a program, plan, policy, or ordinance addressing the circulation system, including transit, bicycle, and pedestrian facilities. The General Plan Update EIR reported that implementation of the General Plan Update could lead to an increase in the city's population and employment that would increase the demand for pedestrian and bicycle facilities and transit facilities and services; however, General Plan Update policies and implementation actions help make the circulation system consistent with applicable plans, policies, and ordinances and address the growth accommodated under the City's adopted General Plan. The General Plan Update EIR also reported that General Plan Update goals, policies, and implementation actions are anticipated to achieve meaningful reductions in collisions within the city, but that the City could not demonstrate that collisions would be reduced to the degree that meets the threshold of no conflict with a program, plan, policy or ordinance addressing the circulation system and therefore, the General Plan Update may conflict with policies for safe travel.

The proposed Zoning Code Update changes would not change the overall development assumptions as presented in the General Plan Update and analyzed in the General Plan Update EIR. General Plan Update policies and implementation actions address the needs of growth accommodated by the General Plan, including development that would be implemented under the Zoning Code Update, and would help make the circulation system,

including transit, bicycle, and pedestrian facilities, consistent with applicable programs, plans, policies, and ordinances, including SJCOG's 2022 RTP/SCS and Manteca's Active Transportation Plan, Public Facilities Implementation Plan, Local Road Safety Plan, and Traffic Calming Program. Those General Plan policies and implementation actions identified within the General Plan Update EIR as minimizing the potential for impacts would similarly apply to and minimize the potential for impacts associated with development within the CMU and DMU Zoning Districts proposed under the Zoning Code Update.

As directed by General Plan policies and implementation actions, future development under the Zoning Code Update would provide pedestrian and bicycle facilities in accordance with the Active Transportation Plan and the City's street design and frontage standards, expand and improve access to public transit, and encourage the use of existing and planned pedestrian, bicycle, and transit facilities through implementation of design features and regulatory requirements. Additionally, design features and characteristics of the CMU and DMU Zoning Districts would further promote and improve the use and accessibility of pedestrian, bicycle, and transit facilities. The CMU Zoning District allows a mix of retail, service commercial, office, and residential uses and is intended to provide interconnected streets, wide sidewalks, thereby combining compatible land uses in close proximity, improving accessibility and walkability for residents, employees, and visitors, and promoting development opportunities in a compact, pedestrian-friendly layout. The DMU Zoning District allows retail and service commercial, office, and multiple-family residential uses and is intended to improve the vibrancy and maintain the pedestrian-scale character of the Downtown by designing private developments and improving public streetscapes to enhance pedestrian access, safety, and comfort while ensuring safe connections and access to transit. General Plan Update Policies C-2.13, C-2.22, and CF-3.4 require development projects to arrange streets in an interconnected block pattern, thereby improving connectivity and promoting pedestrian and bicycle access.

Implementation of General Plan Update policies and implementation actions, along with the allowable land uses and intended design and improvements to pedestrian, bicycle, and transit facilities of the CMU and DW land use designations, would ensure the Zoning Code Update would not conflict with a program, plan, policy, or ordinance addressing the circulation system, including transit, bicycle, and pedestrian facilities. However, as with the General Plan Update EIR, the City cannot demonstrate definitely at this time that implementation of General Plan policies and implementation actions would reduce collisions for vehicles, pedestrians, and bicyclists to the degree that it meets the threshold of no conflict with a program, plan, policy, or ordinance addressing the circulation system. Therefore, consistent with the General Plan Update EIR, this impact is considered significant and unavoidable, and implementation of the proposed project would **not result in new impacts nor impacts that would be substantially increased in severity** as compared with that addressed in the General Plan Update EIR.

Impact 3.14-3: May increase hazards due to a design feature, incompatible uses, or inadequate emergency access.

The General Plan Update EIR (pages 3.14-41 through 3.14-48) found a **significant and unavoidable** impact related to increased hazards due to a design feature, incompatible uses, or inadequate emergency access. The General Plan Update EIR reported that General Plan policies and implementation actions and the City's roadway design standards would improve safety and reduce impacts associated with hazards due to a design feature, incompatible uses, and inadequate emergency access; however, the General Plan Update EIR reported that increased development and traffic volumes associated with implementation of the General Plan may increase the number of collisions on city roadways and therefore result in an increase in hazards.

Future development under the Zoning Code Update would not increase beyond what was analyzed in the General Plan Update EIR, but a relatively larger number of dwelling units included in the General Plan Update EIR would be in infill locations within the areas with the CMU and DW land use designations. As described above in Impact 3.14-2, future development under the Zoning Code Update would be constructed according to the Manteca Design and Construction Standards, which apply to all public roadway infrastructure improvements and provide for coordinated and standardized development of City facilities, including streets. The standards and specifications relevant to transportation include the Engineering Standard Plan, Standard Specifications, and Streets Standard Plan. Consistent with the General Plan Update EIR, potential impacts associated with future projects under the Zoning Code Update would be analyzed and evaluated in detail based on the specific characteristics of individual projects through the entitlement and environmental review process. Additionally, General Plan Update policies and implementation actions would reduce the potential for increased hazards in future development under the Zoning Code Update, including but not limited to General Plan Update Policy C-2.9, which requires signals, roundabouts, traffic circles, and other traffic management, calming and safety techniques to be applied according to industry standards at certain intersections; General Plan Update Policy C-2.19, which would prohibit the creation of traffic, bicycle, and pedestrian hazards and conflicts with vehicular traffic movements in new and infill development and redevelopment areas; Policy C-2.20, which would ensure adequate corner-sight distances appropriate for the speed and type of facility; Policy C-2.21, which would encourage the development of landscape-separated sidewalks along roadways to discourage pedestrian/vehicle conflict and be consistent with complete streets concepts; Implementation Action C-2b, which directs the City to incorporate the concept of complete streets when planning roadway facilities; Implementation Action C-2j, which directs the City to pursue funding to improve and address areas of traffic bicycle, and pedestrian hazards and conflicts with vehicular traffic movements; Implementation Action C-2j, which directs the City to identify and remove, as feasible, obstacles limiting corner-sight distances at existing street corners; and Implementation Action C-2l, which requires consistency with the latest edition of the California Manual on Uniform Traffic Control Devices. Additionally, as part of the City's review of individual development projects, applicable and feasible traffic calming measures and safety countermeasures as provided in the Traffic Calming Program and Local Road Safety Plan, respectively, would be implemented.

Potential impacts due to hazards resulting from incompatible uses would be reduced through implementation of General Plan Update policies and implementation actions, including Policy LU-4.4, LU-5.4, LU-5.9, and CD-6.1 and Implementation Actions LU-5d, LU-5e, RC-7c, which ensure compatibility between commercial and other non-residential development and adjacent land uses, particularly residential uses; ensure that employment-generating development such as industrial, warehouse, distribution, logistics, and fulfillment projects do not result in adverse impacts and that applicable design features are incorporated to protect residential areas, sensitive receptors, and disadvantaged communities; require adequate buffers to protect residential areas from incompatible uses; and prohibit the establishment or encroachment of incompatible uses into industrial and agricultural industrial designated lands. Development within the CMU and DMU Zoning Districts would locate compatible land uses within close proximity to each other and would be implemented consistent with General Plan Update policies and implementation actions. Additionally, mixed-use performance standards of both the CMU and DMU Zoning Districts ensure that residential uses within mixed-use developments are not adversely affected by adjacent land uses.

Future development under the Zoning Code Update would be designed and constructed in accordance with applicable local, state, and federal standards and regulations related to requirements for adequate emergency access, including the City Design and Construction Standards. General Plan policies and implementation actions

related to circulation system requirements would ensure implementation of future development under the Zoning Code Update would provide adequate emergency access. General Plan Update Policies C-2.13, C-2.22, and CF-3.4 require development projects to arrange streets in an interconnected block pattern, thereby adding redundancy to the street network and supporting safe and efficient movement of emergency responders; incorporate emergency access, emergency signal preemption and other features into development and infrastructure projects to improve emergency response times; and design and maintain roadways in such a way so as to maintain acceptable emergency vehicle response times. General Plan Update Implementation Actions C-2m and CF-3d require emergency access wherever traffic patterns and physical features make it possible and direct the Planning Commission and City Engineer to review proposed residential street patterns to evaluate the accessibility for fire engines and emergency response.

General Plan Update policies and implementation actions designed to ensure that development does not include features that would result in increased hazards due to design features or incompatible uses, or inadequate emergency access, along with compliance with City Design and Construction Standards and incorporation of traffic calming measures and safety countermeasures, as applicable, from the Manteca Traffic Calming Program and Local Road Safety Plan would reduce potential impacts related to hazards resulting from design features or incompatible uses and emergency access associated with implementation of the Zoning Code Update. However, consistent with the General Plan Update EIR, increased vehicle traffic may result in increased collisions and therefore increased hazards and inadequate emergency access. Similar to the General Plan Update EIR finding, the City cannot demonstrate definitively that implementation of General Plan policies and implementation actions, nor standards of the CMU and DMU Zoning Districts, would ensure that implementation of the proposed Zoning Code Update would maintain the number of collisions for vehicles, pedestrians, and bicyclists at current or lower levels. Therefore, consistent with the General Plan Update EIR, this impact is considered significant and unavoidable, and implementation of the proposed project would **not result in new impacts nor impacts that would be substantially increased in severity** as compared with that addressed in the General Plan Update EIR.

3.15 UTILITIES AND SERVICES SYSTEMS

As detailed in Section 1.1.4 of this Draft SEIR, there is **no change in impact** for the proposed project compared to that addressed in the General Plan Update EIR and the Addendum to the EIR.

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3.16 WILDFIRE

As detailed in Section 1.1.4 of this Draft SEIR, there is **no change in impact** for the proposed project compared to that addressed in the General Plan Update EIR and the Addendum to the EIR.

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4 OTHER CEQA CONSIDERATIONS

4.1 CUMULATIVE IMPACTS

This section provides an analysis of cumulative impacts of the proposed project, taken together with other past, present, and reasonably anticipated future projects producing related impacts referred to as "related projects," as required by Section 15130 of the CEQA Guidelines. This is a three-part exercise:

1. First, to determine whether the overall long-term impacts of related projects, described in the General Plan Update EIR as the maximum theoretical build-out scenario, when considered together, would create any "significant cumulative impact."

2. Second, to determine whether the General Plan Update EIR determined that the General Plan Update would create any "cumulatively considerable" (and thus significant) incremental contribution to any such cumulatively significant impact. (See CEQA Guidelines Sections 15130[a]-[b], Section 15355[b], Section 15064[h], and Section 15065[c]). If the General Plan Update led to a "cumulatively significant" impact, the analysis moves to the third step.

3. Third, to determine whether the adoption of the Zoning Code Update itself would cause a "cumulatively considerable contribution to a cumulatively significant impact."

The proposed project is considered to have a significant cumulative effect if:

1. The cumulative effects of development without the project are not significant and the project's additional impact is substantial enough, when added to the cumulative effects, to result in a significant impact; or

2. The cumulative effects of development without the project are already significant and the project contributes measurably to the effect. The term "measurably" is subject to interpretation. The standards used herein to determine measurability are that either the impact must be noticeable to a reasonable person or must exceed an established threshold of significance.

Pursuant to CEQA Guidelines Section 15130: "(t)he discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness and should focus on the cumulative impacts to which the identified other projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact."

4.1.1 AGRICULTURAL AND FOREST RESOURCES

The General Plan Update EIR found that implementation of the General Plan Update would result in a **cumulatively considerable contribution and significant and unavoidable** impact to agricultural lands and resources. Implementation of the land uses identified in the General Plan Update would result in the potential to convert farmland to non-agricultural uses, including within the proposed CMU Zoning District, where some parcels are designated for Important Farmland or Williamson Act lands. Further, other conversions of farmland within San Joaquin County over the buildout period is also likely to occur, As such, even with implementation of General Plan Update policies and implementation actions, there is no feasible mitigation available to reduce this

impact. While future development in CMU and DMU Zoning Districts would be required to adhere to City policies that aim to protect and preserve agricultural lands and resources, there would still be an increased potential for designated agricultural lands to be converted to urban uses. The Zoning Code Update would not designate additional areas for urban development beyond what was presented and analyzed in the General Plan Update EIR, and existing policies and implementation actions would continue to be required for future projects. Therefore, the proposed project would **not increase the severity** of any cumulative agricultural resource impacts relative to that reported in the General Plan Update EIR.

4.1.2 AIR QUALITY

The General Plan Update EIR found that implementation of the General Plan Update would result in a **cumulatively considerable contribution and significant and unavoidable** impact. Construction of growth anticipated by the proposed General Plan Update would generate temporary criteria air pollutant emissions through the use of heavy-duty construction equipment and worker and haul truck vehicle trips. Implementation of the land uses identified in the General Plan Update would result in a net increase of long-term operation-related emissions from mobile, area, and energy sources. The analysis conducted to evaluate potential health risks associated with increased truck traffic on the roadway system associated with implementation of the General Plan Update indicated that the highest maximum risk projected for the worst-case truck route segment is below the applicable threshold of significance. Additionally, with regard to impacts associated with other criteria air pollutant emissions, the General Plan Update EIR emphasizes that the existing General Plan Update would be required to comply with state and local requirements, including CARB and SJVAPCD regulations, Tile 24 energy efficiency standards, and General Plan Update policies and implementation actions. However, since the full nature of the impacts of proposed Project-generated TAC impacts is not fully known, the General Plan Update EIR considered this impact to be **cumulatively considerable and significant and unavoidable.**

The proposed Zoning Code Update provides development standards and performance criteria for future development projects within the CMU and DMU Zoning Districts that align with General Plan Update goals and policies. The CMU and DMU Zoning Districts promote residential uses in infill areas, reducing the need for vehicle travel and thereby decreasing VMT by locating residents near employment opportunities, retail and commercial services, entertainment, and recreation. Implementation of the Zoning Code Update and the associated infill development would result in reduced operational mobile emissions and promote consistency with air quality plans. However, due to the increased development proximate to sensitive receptors that could occur within the CMU and DMU Zoning Districts, there would be increased potential for sensitive receptors to be exposed to substantial pollutant concentrations. Mitigation Measure 3.3-2a would reduce potential cumulative impacts associated with exposure to sensitive receptors by requiring construction equipment over 50 bhp within 300 feet of existing sensitive receptors to meet Tier 4 Final engine emission standards, or prepare a site-specific estimate of DPM emissions and associated health risk assessment. With implementation of mitigation, the proposed project would **not increase the severity** of any cumulative air quality impact relative to that reported in the General Plan Update EIR.

4.1.3 CULTURAL AND TRIBAL CULTURAL RESOURCES

The General Plan Update EIR concluded that impacts to cultural and tribal cultural resources would be **less than cumulatively considerable**. Construction of the individual development projects allowed under the land use designations of the adopted General Plan may result in the discovery and removal of cultural resources, including

archaeological, paleontological, historical, and Native American resources and human remains. However, adherence to the General Plan Update policies and implementation actions, as well as State and federal regulations, would avoid and/or minimize a cumulative loss of these important resources if they are found during project-specific surveys or construction.

The Zoning Code Update would not involve any direct changes to existing land uses into areas known to be sensitive for cultural or tribal cultural resources and existing policies and implementation actions would continue to be required for future projects. Therefore, the proposed project would **not increase the severity** of any cumulative cultural or tribal cultural resource impact relative to that reported in the General Plan Update EIR.

4.1.4 GREENHOUSE GAS EMISSIONS

Please see above under Section 3.7 – GHG emissions impacts are evaluated on a cumulative basis.

4.1.5 NOISE

The General Plan Update EIR found that implementation of the General Plan Update would result in a **cumulatively considerable contribution and significant and unavoidable** impact related to traffic noise increases. While General Plan policies and implementation actions would help reduce noise exposure and requirements for noise attenuation to address potential noise impacts, there would still remain the potential for noise increases to exceed established standards with the buildout of the General Plan Update. The use of noise attenuating features, such as rubberized asphalt, soundwalls, berms, and improved building sound-insulation, would help prevent the transmission of excessive noise and could prevent projected increases in ambient noise levels. However, use of these materials is not feasible in many circumstances.

The proposed CMU and DMU Zoning Districts do not change the amount or type of development compared to that assumed for analytical purposes for the General Plan Update EIR. Therefore, there are no proposed changes that would result in any new noise impacts or increase in severity of any previously disclosed impacts. The proposed Zoning Code Update would not locate additional noise- and vibration-sensitive uses near sources of excessive noise and vibration sources. Therefore, there would be **no change** to any of the cumulative impacts described in the General Plan Update EIR.

4.1.6 TRANSPORTATION AND CIRCULATION

The General Plan Update EIR found that implementation of the General Plan Update would result in a **cumulatively considerable and significant and unavoidable impact** because VMT generated by buildout of the General Plan Update would exceed the VMT threshold of 85 percent of baseline. The General Plan Update EIR emphasizes that implementing General Plan Update goals, policies, and implementation actions would help to reduce VMT through encouraging non-vehicle transportation modes, expanding transit services, and developing transportation demand management program requirements; however, reductions in VMT per employee from 15 to 51 percent would be required to achieve the applicable thresholds and the City cannot demonstrate that General Plan policies and implementation actions would achieve sufficient VMT reductions to meet the threshold of 85 percent of baseline.

The DMU Zoning District allows retail and service commercial, office, and multiple-family residential uses designed to improve the vibrancy and maintain the pedestrian-scale character of the Downtown. The CMU

Zoning District is intended to provide interconnected streets, wide sidewalks, outdoor public spaces and activities, and accommodate a mix of primarily retail and service commercial uses complemented by office and/or residential uses. By allowing compatible land uses in close proximity to each other, the CMU Zoning District aims to improve accessibility and walkability. The CMU and DMU Zoning Districts promote residential uses in infill areas, reducing the need for vehicle travel and thereby decreasing VMT by locating residents near employment opportunities, retail and commercial services, entertainment, and recreation. While development under the Zoning Code Update would potentially result in reduced VMT per dwelling unit and per employee compared to what was determined in the General Plan Update EIR, and General Plan Update policies and implementation actions would further reduce potential VMT impacts, the extent to which VMT impacts would be reduced under the Zoning Code Update cannot be determined at the time of this analysis and VMT per dwelling unit and per employee may still exceed the reductions needed to achieve state-mandated VMT reductions. Therefore, the proposed project would **not increase the severity** of any cumulative transportation impact relative to that reported in the General Plan Update EIR.

4.2 GROWTH-INDUCING IMPACTS

According to Section 15126.2(d) of the CEQA Guidelines, an EIR should:

> [d]iscuss ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects that would remove obstacles to population growth (a major expansion of a wastewater treatment plant might, for example, allow for more construction in service areas). Increases in the population may tax existing community service facilities, requiring the construction of new facilities that could cause significant environmental effects. Also discuss characteristics of some projects that may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

A project has the potential to induce growth both directly and indirectly. Direct growth inducement would result if a project involved construction of new housing. Indirect growth inducement would result, for instance, if implementing a project resulted in substantial new permanent employment opportunities (e.g., commercial, industrial, or governmental enterprises); or a construction effort with substantial short-term employment opportunities that indirectly stimulates the need for additional housing and services to support the new employment demand; and/or removal of an obstacle to additional growth and development, such as improving the capacity of a public utility or service (e.g., construction of a major sewer line with excess capacity through an undeveloped area).

Growth inducement itself is not an environmental effect but may lead to environmental effects. These environmental effects may include increased demand for other services and infrastructure, increased traffic and noise, degradation of air or water quality, degradation or loss of plant or animal habitats, conversion of agricultural and open space land to urban uses, or other adverse impacts.

The proposed revisions to the Zoning Code Update would involve changes intended to align the Zoning Code with the General Plan Update. Based on the definition of growth inducement, a general plan is inherently growth-inducing because it must, by law, accommodate at least projected housing demand. The General Plan Update

provided the framework by which public officials will be guided in making decisions relative to future development in Manteca. The proposed changes to the Zoning Code merely implement the planning and growth direction established under the General Plan Update.

4.3 SIGNIFICANT AND UNAVOIDABLE IMPACTS

Section 15126.2(b) of the CEQA Guidelines requires EIRs to include a discussion of any significant environmental impacts that cannot be avoided if the proposed project is implemented.

Chapter 3 of this Draft SEIR provides a detailed analysis of significant and potentially significant environmental impacts related to approval of the proposed project; identifies mitigating General Plan Update policies and implementation actions that could avoid or reduce these significant and potentially significant impacts; and presents a determination whether these policies and implementation actions would reduce these impacts to less-than-significant levels. Cumulative impacts associated with the proposed project, including significant impacts, are summarized in Chapter 5 of this Draft SEIR.

The City's General Plan Update EIR identified the following areas where, even with mitigating General Plan Update policies and implementation actions, implementation of the General Plan Update may nonetheless result in impacts that cannot be fully mitigated to a less-than-significant level.

- Agricultural and Forest Resources
  - Impact 3.2-1: General Plan implementation would result in the conversion of farmlands, including Prime Farmland, Unique Farmland, and Farmland of Statewide Importance, to nonagricultural use
  - Impact 3.2-2: General Plan Implementation would conflict with existing zoning for agricultural use, or a Williamson Act Contract
- Air Quality
  - Impact 3.3-1: General Plan implementation would conflict with or obstruct implementation of the applicable air quality plan, or result in a cumulatively considerable net increase of criteria pollutants
  - Impact 3.3-2: General Plan implementation would expose sensitive receptors to substantial pollutant concentrations
- Noise
  - Impact 3.12-1: General Plan implementation may result in exposure to significant traffic noise sources
- Transportation and Circulation
  - Impact 3.14-1: General Plan implementation may result in VMT per dwelling unit and VMT per employee increases that are greater than 85 percent of Baseline conditions
  - Impact 3.14-2: General Plan implementation may conflict with a program, plan, policy or ordinance addressing the circulation system, including transit, bicycle, and pedestrian facilities

- Impact 3.14-3: General Plan implementation may increase hazards due to a design feature, incompatible uses, or inadequate emergency access

The General Plan Update EIR found significant and unavoidable impacts related to agricultural and forest resources, air quality, traffic noise, and transportation and circulation. As with the General Plan Update, projects within the Planning Area would be required to implement applicable mitigation measures outlined in the General Plan Update EIR and mitigation monitoring and reporting program.

Significant cumulative impacts are summarized in Section 5.1 of this Draft SEIR.

4.4 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES THAT CANNOT BE AVOIDED IF THE PROJECT IS IMPLEMENTED

CEQA requires EIRs to address significant irreversible environmental changes caused by a proposed project. Specifically, the EIR must consider whether "uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely" (CEQA Guidelines Section 15126.2[c]). Nonrenewable resources, as used in this discussion, refer to the physical features of the natural environment: land, air, and waterways.

Environmental changes would occur as the physical environment is altered through continued commitments of land and construction materials to development. There would be an irretrievable commitment of labor, capital, and materials used in construction. Nonrenewable resources would be committed—primarily in the form of fossil fuels (oil, natural gas, and gasoline) used to support the additional development associated with the implementation of the Zoning Code Update, such as lumber and other forest products; aggregate materials used in concrete and asphalt (sand, gravel, and stone); metals; and water. Fossil fuels such as gasoline and oil would be consumed in the use of construction vehicles and equipment. The proposed project's operational resource needs would be similar to those currently utilized in Manteca. The proposed project operations would adhere to Title 24, Part 6 of the California Code of Regulations, which mandates energy conservation measures to limit consumption. However, resource consumption would be consistent with growth and anticipated change in the Manteca. The demand for such resources is expected to continue regardless of whether the proposed project is approved. The expected increases in the State's population would directly result in the need for more residential, retail, office and commercial uses to provide the needed services associated with this growth.

The proposed project is not anticipated to result in irreversible damage from environmental accidents, such as an accidental spill or explosion of a hazardous material. The proposed project is not a large industrial project where large amounts of hazardous, flammable, or explosive materials would be used. Furthermore, although fuel and hazardous materials would be used during construction within DMU and CMU Zoning Districts, the use, storage, transport, and disposal of hazardous substances are strictly regulated and enforced by various local and regional agencies. Compliance with these regulations would preclude significant project impacts related to environmental accidents.

Future development in Manteca, as envisioned in the Zoning Code Update, would involve constructing structures, facilities, or infrastructure on lands that are currently underutilized or developed at a lesser intensity. Land development would generally result in their future and permanent commitment to urban use.

4.5 FUTURE USE OF THIS EIR

As noted in Section 1.1.3 of this SEIR, the City intends to make use of the CEQA streamlining allowed under Public Resources Code 21083.3 and CEQA Guidelines 15183 as related to future projects within the CMU and DMU Zoning Districts. Under this provision, CEQA only applies to issues "peculiar to the project or the site" (CEQA Guidelines Section 15183[a]). Lead agencies can use EIRs for a general plan (or community plan or zoning action) to analyze the impacts of projects that are consistent with the plan, and limit later project-level analysis to project-specific or site-specific issues. CEQA Guidelines Section 15183(f) provides that impacts are not considered peculiar to the project or site if uniformly applied development policies or standards substantially mitigate that environmental effect (see Appendix B for uniformly applied development policies).

According to CEQA Guidelines, Section 15168, (c) future projects that are consistent with a program, such as the City's General Plan, can be examined in the light of the program EIR to determine whether an additional environmental document should be prepared. The CEQA Guidelines go on to state that where subsequent activities (such as development projects proposed under a general plan) involve site-specific operations, the lead agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were covered in the Program EIR (CEQA Guidelines, Section 15168[c][4].) Per Section 15168(d) of the CEQA Guidelines, a Program EIR can be used to simplify preparing environmental documents later in the program.

The future use of this Draft SEIR serves as a tool for streamlining environmental review processes for infill projects, particularly projects in the DMU and CMU Zoning Districts. The City staff and decision-makers can utilize the Draft SEIR to guide decision-making processes, focusing efforts on mitigating specific project-related impacts consistent with CEQA requirements and local planning policies.

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5 ALTERNATIVES ANALYSIS

Pursuant to CEQA Guidelines Section 15163, the supplement to the EIR needs to contain only the information necessary to make the previous EIR adequate for the project as revised. The proposed Zoning Code Update would not increase the severity of any impacts as they were disclosed in the General Plan Update EIR. Since there are no new impacts associated with the proposed project and since there are no impacts that would increase in severity with implementation of the proposed project, this Draft SEIR does not include any new alternatives for analysis. No alternatives were determined to be infeasible at the time of drafting the General Plan Update EIR (General Plan Update EIR page 5.0-1) that would address any potentially significant impact and that are now feasible. Therefore, the proposed project would not make the alternatives analysis provided in Section 5.0 of the General Plan Update EIR inadequate, and **no changes** to Chapter 5 are needed.

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APPENDIX A

Notice of Preparation (NOP) and NOP Responses

CITY OF MANTECA

COMMUNITY DEVELOPMENT DEPARTMENT

DATE: **May 20, 2024**

TO: Interested Parties

SUBJECT: **Notice of Preparation (NOP) of a Supplemental Environmental Impact Report (SEIR) for the Proposed City of Manteca Zoning Code Update**

LEAD AGENCY CONTACT:
Barbara Harb, Interim Director of Development Services
Development Services Department, City of Manteca
1215 W. Center Street, Suite 201
Manteca, CA 95337
(209) 456-8000
bharb@manteca.gov

REVIEW PERIOD: **May 20, 2024 – June 18, 2024**

Notice is hereby given that the City of Manteca (City) is the lead agency for the preparation of a Supplemental Environmental Impact Report (SEIR) for the proposed City of Manteca Zoning Code Update (proposed project), in accordance with the California Environmental Quality Act (CEQA) Statute and Guidelines. CEQA Guidelines Section 15163 states that a lead agency may choose to prepare a supplement to an EIR rather than a subsequent EIR if proposed changes meet the conditions described in CEQA Guidelines Section 15162 and if only minor additions and changes would be necessary to make the previous EIR adequate. The SEIR will Supplement the Manteca General Plan Update EIR (SCH # 2020019010). The SEIR will focus on providing additional information and analysis necessary to address proposed changes within the proposed Zoning Code Update. An Initial Study will not be prepared (CEQA Guidelines Section 15063[a]).

The purpose of this Notice of Preparation (NOP) is to provide responsible agencies and interested persons with sufficient information in order to provide meaningful input on the scope and content of the SEIR. Your timely comments will ensure an appropriate level of environmental review for the proposed project.

A copy of this NOP is available for review at the City of Manteca Community Development Department and on the City of Manteca website:

https://www.manteca.gov/departments/development-services/planning/planning-division-documents/-folder-206/-npage-2

Project Location and Setting
As shown in Figure 1, the City of Manteca is located in the southern portion of San Joaquin County, approximately 10 miles south of Stockton. The City is accessed by State Route 99 from the north and south and State Route 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.

Project Description
The City of Manteca is updating its Zoning Code to facilitate housing production in Downtown Manteca and existing, developed mixed-use corridors in support of goals and objectives discussed under the Local Early Action Planning Grant (LEAP) provided by the Department of Housing and Community Development (HCD).

The City is proposing revisions to the City's Zoning Code to implement the Commercial Mixed Use (CMU) and Downtown (DW) mixed-use land use designations included in the City's updated General Plan, identified in Figure 1.

Focused revisions to the City's Zoning Code would include updates to the existing CMU zoning district, a new zoning district to implement the Downtown (DW) General Plan Land Use designation, revised development standards, updated uses to be permitted in each district, and an updated zoning map consistent with the General Plan land use designations. The City will also update the processes and procedures to be consistent with the General Plan and Housing Element Updates and recent changes to state law. The City is also considering implementing a new Housing Overlay for specific parcels within the Neighborhood-Commercial and General Commercial General Plan land use designation that could accommodate housing.

Probable Environmental Effects and Scope of the SEIR

The SEIR will provide the necessary analysis and information to address proposed changes to the Zoning Code as a supplement to the certified General Plan Update EIR. The City does not anticipate any new significant impact or any substantial increase in the severity of impacts resulting from the proposed Zoning Code Update.

Impacts and conditions presented in the City of Manteca General Plan Update EIR will serve as the primary base of comparison for the analysis. Elements of the prior analysis that are unchanged will not be re-analyzed in the SEIR, but a summary discussion of those areas for which impacts remain the same or would be lessened will be provided for the reader's use.

Additional information would be provided to ensure the analysis in the SEIR is current and fully addresses the proposed Zoning Code Update. The SEIR will use the same organization as the General Plan Update EIR, with information addressing the following environmental topics:

- Aesthetics
- Agricultural and Forestry Resources
- Air Quality
- Biological Resources
- Cultural and Tribal Cultural Resources
- Energy
- Geology, Soils, and Paleontological Resources
- Greenhouse Gases Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise and Vibration
- Population and Housing
- Public Services
- Recreation
- Transportation
- Utilities and Service Systems
- Wildfire

SUBMITTING COMMENTS

The City is soliciting comments regarding the scope and content of the SEIR as they relate to other agencies' statutory responsibilities in connection with the proposed Zoning Code Update, as well as comments from interested members of the public. The City will rely on responsible and trustee agencies to provide information relevant to the analysis of resources falling within the jurisdiction of such agencies. Specifically, input is required on: (1) the scope of environmental analysis – guidance on the scope of analysis for this EIR, including identification of specific issues that will require closer study due to the location, scale, and character of the Zoning Code Update; (2) mitigation measures – ideas for feasible mitigation, including mitigation that would avoid, offset, eliminate, or reduce potentially significant or significant impacts; and (3) alternatives – suggestions for alternatives to the proposed Zoning Code Update that could reduce or avoid potentially significant or significant impacts.

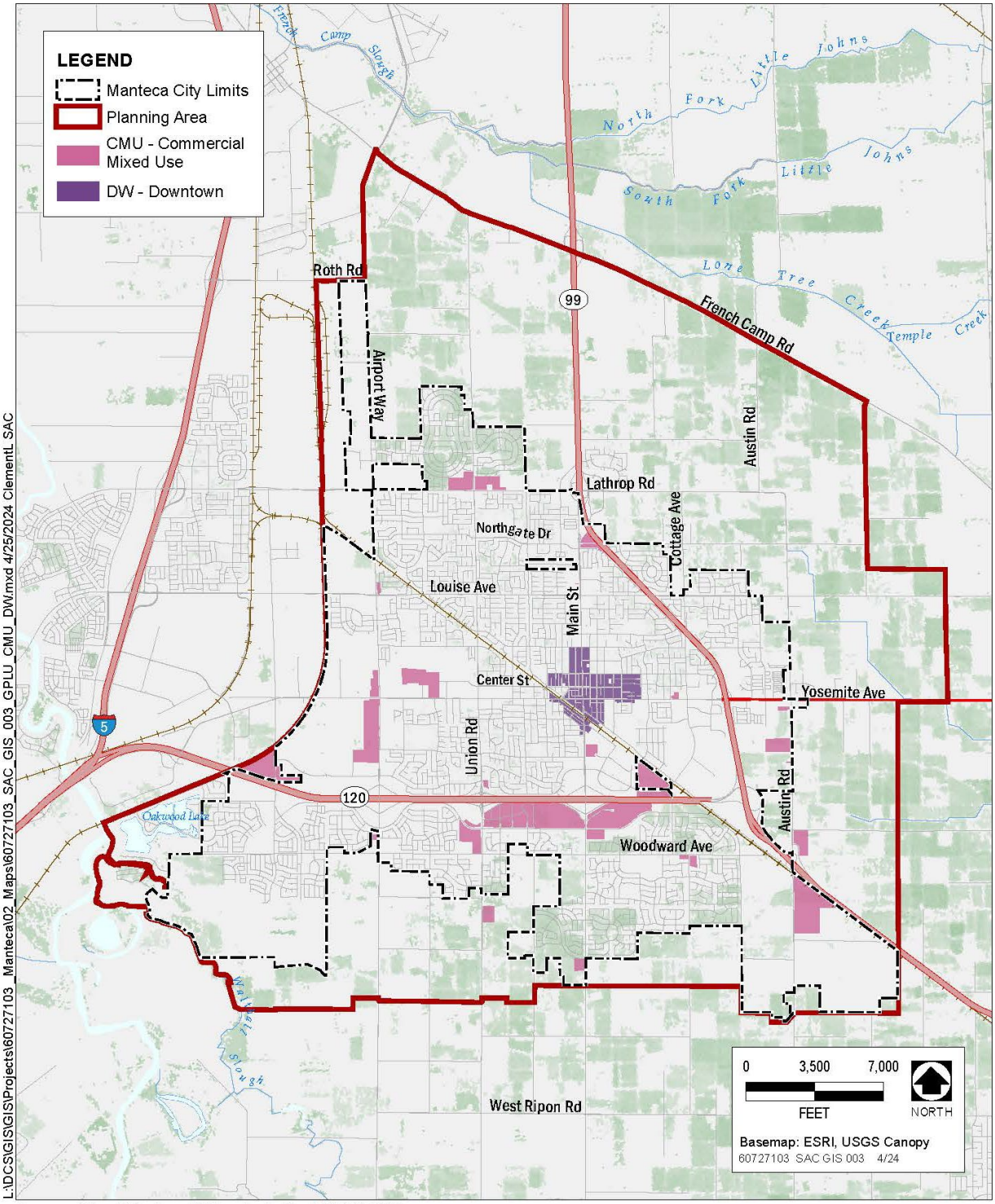
The City welcomes input during the review and comment period. If the City has not received a response (or a well-justified request for additional time) from a responsible or trustee agency by the end of the review period, the City may presume that the responsible or trustee agency has no response (CEQA Guidelines Section 15082[b][2]). Please provide any written comments that you would like the City to consider, along with the name of the appropriate contact person in your agency and their contact information using the contact information below:

Barbara Harb, Interim Director of Development Services
Development Services Department, City of Manteca
1215 W. Center Street, Suite 201
Manteca, CA 95337
(209) 456-8000

Or via email to: bharb@manteca.gov

Comments are due to the City of Manteca at the location addressed above by 5:00 p.m. June 18, 2024.

Figure 1: Project Location



Source: City of Manteca 2022, adapted by AECOM 2024

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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
North Central Region
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670-4599
(916) 358-2900
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

June 13, 2024

Barbara Harb
Interim Director of Development Services
City of Manteca
1215 W. Center Street, Suite 201
Manteca, CA 95337
bharb@manteca.gov

Subject: Notice of Preparation (NOP) of a Supplemental Environmental Impact Report (SEIR) for the Proposed City of Manteca Zoning Code Update
Notice of Preparation of a DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (DSEIR)
SCH No. 2024050901

Dear Barbara Harb:

The California Department of Fish and Wildlife (CDFW) received and reviewed the Notice of Preparation of a Supplemental Environmental Impact Report (SEIR) from City of Manteca for the Notice of Preparation (NOP) of a Supplemental Environmental Impact Report (SEIR) for the Proposed City of Manteca Zoning Code Update (Project) in San Joaquin County pursuant the California Environmental Quality Act (CEQA) statute and guidelines.[1]

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish, wildlife, plants and their habitats. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may need to exercise its own regulatory authority under the Fish and Game Code (Fish & G. Code).

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically

1 CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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sustainable populations of those species (*Id.*, § 1802.). Similarly, for purposes of CEQA, CDFW provides, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW may also act as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

The Project site is located throughout the City of Manteca. The City is bordered by the City of Lathrop to the west and unincorporated San Joaquin County to the north, south, and east.

The Project consists of an update to the City of Manteca's Zoning Code to facilitate housing production in Downtown Manteca and existing, developed mixed-use corridors in support of goals and objectives discussed under the Local Early Action Planning Grant (LEAP) provided by the Department of Housing and Community Development (HCD). The City is proposing revisions to the City's Zoning Code to implement the Commercial Mixed Use (CMU) and Downtown (DW) mixed-use land use designations included in the City's updated General Plan.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations presented below to assist the City of Manteca in adequately identifying and/or mitigating the Project's significant, or potentially significant, impacts on biological resources. The comments and recommendations are also offered to enable CDFW to adequately review and comment on the proposed Project with respect to impacts on biological resources. CDFW recommends that the forthcoming SEIR address the following:

Project Description

The Project description should include the whole action as defined in the CEQA Guidelines § 15378 and should include appropriate detailed exhibits disclosing the Project area including temporary impacted areas such as equipment stage area, spoils areas, adjacent infrastructure development, staging areas and access and haul roads if applicable.

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As required by § 15126.6 of the CEQA Guidelines, the SEIR should include an appropriate range of reasonable and feasible alternatives that would attain most of the basic Project objectives and avoid or minimize significant impacts to resources under CDFW's jurisdiction.

Assessment of Biological Resources

Section 15125(c) of the CEQA Guidelines states that knowledge of the regional setting of a project is critical to the assessment of environmental impacts and that special emphasis should be placed on environmental resources that are rare or unique to the region. To enable CDFW staff to adequately review and comment on the Project, the SEIR should include a complete assessment of the flora and fauna within and adjacent to the Project footprint, with emphasis on identifying rare, threatened, endangered, and other sensitive species and their associated habitats. CDFW recommends the SEIR specifically include:

1. An assessment of all habitat types located within the Project footprint, and a map that identifies the location of each habitat type. CDFW recommends that floristic, alliance- and/or association-based mapping and assessment be completed following, *The Manual of California Vegetation*, second edition (Sawyer 2009). Adjoining habitat areas should also be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions.

2. A general biological inventory of the fish, amphibian, reptile, bird, and mammal species that are present or have the potential to be present within each habitat type onsite and within adjacent areas that could be affected by the Project. CDFW recommends that the California Natural Diversity Database (CNDDB), as well as previous studies performed in the area, be consulted to assess the potential presence of sensitive species and habitats. A nine United States Geologic Survey 7.5-minute quadrangle search is recommended to determine what may occur in the region, larger if the Project area extends past one quad (see *Data Use Guidelines* on the Department webpage www.wildlife.ca.gov/Data/CNDDB/Maps-and-Data). Please review the webpage for information on how to access the database to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code, in the vicinity of the Project. CDFW recommends that CNDDB Field Survey Forms be completed and submitted to CNDDB to document survey results. Online forms can be obtained and submitted at: https://www.wildlife.ca.gov/Data/CNDDB/Submitting-Data.

   Please note that CDFW's CNDDB is not exhaustive in terms of the data it houses, nor is it an absence database. CDFW recommends that it be used as a starting point in gathering information about the *potential presence* of species within the general area of the Project site. Other sources for identification of species and habitats near or adjacent to the Project area should include, but may

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not be limited to, State and federal resource agency lists, California Wildlife Habitat Relationship System, California Native Plant Society Inventory, agency contacts, environmental documents for other projects in the vicinity, academics, and professional or scientific organizations.

3. A complete and recent inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within offsite areas with the potential to be affected, including California Species of Special Concern and California Fully Protected Species (Fish & G. Code § § 3511, 4700, 5050, and 5515). Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380). The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. The SEIR should include the results of focused species-specific surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable. Species-specific surveys should be conducted in order to ascertain the presence of species with the potential to be directly, indirectly, on or within a reasonable distance of the Project activities. CDFW recommends the City of Manteca rely on survey and monitoring protocols and guidelines available at: www.wildlife.ca.gov/Conservation/Survey-Protocols. Alternative survey protocols may be warranted; justification should be provided to substantiate why an alternative protocol is necessary. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service, where necessary. Some aspects of the Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought or deluge.

4. A thorough, recent (within the last two years), floristic-based assessment of special-status plants and natural communities, following CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (see www.wildlife.ca.gov/Conservation/Plants).

5. Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region (CEQA Guidelines § 15125[c]).

Analysis of Direct, Indirect, and Cumulative Impacts to Biological Resources

The SEIR should provide a thorough discussion of the Project's potential direct, indirect, and cumulative impacts on biological resources. To ensure that Project impacts on biological resources are fully analyzed, the following information should be included in the SEIR:

1. The SEIR should define the threshold of significance for each impact and describe the criteria used to determine whether the impacts are significant

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(CEQA Guidelines, § 15064, subd. (f)). The SEIR must demonstrate that the significant environmental impacts of the Project were adequately investigated and discussed and it must permit the significant effects of the Project to be considered in the full environmental context.

2. A discussion of potential impacts from lighting, noise, human activity, and wildlife-human interactions created by Project activities especially those adjacent to natural areas, exotic and/or invasive species occurrences, and drainages. The SEIR should address Project-related changes to drainage patterns and water quality within, upstream, and downstream of the Project site, including: volume, velocity, and frequency of existing and post-Project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-Project fate of runoff from the Project site.

3. A discussion of potential indirect Project impacts on biological resources, including resources in areas adjacent to the Project footprint, such as nearby public lands (e.g., National Forests, State Parks, etc.), open space, adjacent natural habitats, riparian ecosystems, wildlife corridors, and any designated and/or proposed reserve or mitigation lands (e.g., preserved lands associated with a Conservation or Recovery Plan, or other conserved lands).

4. A cumulative effects analysis developed as described under CEQA Guidelines section 15130. The SEIR should discuss the Project's cumulative impacts to natural resources and determine if that contribution would result in a significant impact. The SEIR should include a list of present, past, and probable future projects producing related impacts to biological resources or shall include a summary of the projections contained in an adopted local, regional, or statewide plan, that consider conditions contributing to a cumulative effect. The cumulative analysis shall include impact analysis of vegetation and habitat reductions within the area and their potential cumulative effects. Please include all potential direct and indirect Project-related impacts to riparian areas, wetlands, wildlife corridors or wildlife movement areas, aquatic habitats, sensitive species and/or special-status species, open space, and adjacent natural habitats in the cumulative effects analysis.

Mitigation Measures for Project Impacts to Biological Resources

The SEIR should include appropriate and adequate avoidance, minimization, and/or mitigation measures for all direct, indirect, and cumulative impacts that are expected to occur as a result of the construction and long-term operation and maintenance of the Project. CDFW also recommends the environmental documentation provide scientifically supported discussion regarding adequate avoidance, minimization, and/or mitigation measures to address the Project's significant impacts upon fish and wildlife and their habitat. For individual projects, mitigation must be roughly proportional to the level of impacts, including cumulative impacts, in accordance with the provisions of CEQA (Guidelines § § 15126.4(a)(4)(B), 15064, 15065, and 16355). In order for

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mitigation measures to be effective, they must be specific, enforceable, and feasible actions that will improve environmental conditions. When proposing measures to avoid, minimize, or mitigate impacts, CDFW recommends consideration of the following:

1. *Fully Protected Species*: Several Fully Protected Species (Fish & G. Code § 3511) have the potential to occur within or adjacent to the Project area, including, but not limited to: white-tailed kite (*Elanus leucurus*). Project activities described in the SEIR should be designed to completely avoid any fully protected species that have the potential to be present within or adjacent to the Project area. If fully protected species cannot be completely avoided, the Project should obtain incidental take coverage for all species that have the potential to be present within or adjacent to the Project Area[2]. CDFW also recommends the SEIR fully analyze potential adverse impacts to fully protected species due to habitat modification, loss of foraging habitat, and/or interruption of migratory and breeding behaviors. CDFW recommends that the City of Manteca include in the analysis how appropriate avoidance, minimization and mitigation measures will reduce indirect impacts to fully protected species.

2. *Species of Special Concern*: Several Species of Special Concern (SSC) have the potential to occur within or adjacent to the Project area, including, but not limited to: Burrowing Owl (*Athene cunicularia*) and Loggerhead Shrike (*Lanius ludovicianus*). Project activities described in the SEIR should be designed to avoid any SSC that have the potential to be present within or adjacent to the Project area. CDFW also recommends that the SEIR fully analyze potential adverse impacts to SSC due to habitat modification, loss of foraging habitat, and/or interruption of migratory and breeding behaviors. CDFW recommends the City of Manteca include in the analysis how appropriate avoidance, minimization and mitigation measures will reduce impacts to SSC.

3. *Sensitive Plant Communities*: CDFW considers sensitive plant communities to be imperiled habitats having both local and regional significance. Plant communities, alliances, and associations with a statewide ranking of S-1, S-2, S-3, and S-4 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by querying the CNDDB and are included in *The Manual of California Vegetation* (Sawyer 2009). The SEIR should include measures to fully avoid and otherwise protect sensitive plant communities from Project-related direct and indirect impacts.

4. *Native Wildlife Nursey Sites:* CDFW recommends the SEIR fully analyze potential adverse impacts to native wildlife nursey sites, including but not limited to bat maternity roosts. Based on review of Project materials, aerial photography, and observation of the site from public roadways, the potential Project sites

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2 CDFW may only issue incidental take permits for specified projects if certain conditions are satisfied per SB 147.

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contain potential nursery site habitat for structure and tree roosting bats and is near potential foraging habitat. Bats are considered non-game mammals and are afforded protection by state law from take and/or harassment, (Fish & G. Code, § 4150; Cal. Code of Regs, § 251.1). CDFW recommends that the SEIR fully identify the Project's potential impacts to native wildlife nursery sites, and include appropriate avoidance, minimization and mitigation measures to reduce impacts or mitigate any potential significant impacts to bat nursery sites.

5. *Mitigation*: CDFW considers adverse Project-related impacts to sensitive species and habitats to be significant to both local and regional ecosystems, and the SEIR should include mitigation measures for adverse Project-related impacts to these resources. Mitigation measures should emphasize avoidance and reduction of Project impacts. For unavoidable impacts, onsite habitat restoration, enhancement, or permanent protection should be evaluated and discussed in detail. If onsite mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, offsite mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed.

   The SEIR should include measures to perpetually protect the targeted habitat values within mitigation areas from direct and indirect adverse impacts in order to meet mitigation objectives to offset Project-induced qualitative and quantitative losses of biological values. Specific issues that should be addressed include restrictions on access, proposed land dedications, long-term monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc.

6. *Habitat Revegetation/Restoration Plans*: Plans for restoration and revegetation should be prepared by persons with expertise in the regional ecosystems and native plant restoration techniques. Plans should identify the assumptions used to develop the proposed restoration strategy. Each plan should include, at a minimum: (a) the location of restoration sites and assessment of appropriate reference sites; (b) the plant species to be used, sources of local propagules, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) a local seed and cuttings and planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity. Monitoring of restoration areas should extend across a sufficient time frame to ensure that the new habitat is established, self-sustaining, and capable of surviving drought.

   CDFW recommends that local onsite propagules from the Project area and nearby vicinity be collected and used for restoration purposes. Onsite seed collection should be appropriately timed to ensure the viability of the seeds when

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planted. Onsite vegetation mapping at the alliance and/or association level should be used to develop appropriate restoration goals and local plant palettes. Reference areas should be identified to help guide restoration efforts. Specific restoration plans should be developed for various Project components as appropriate. Restoration objectives should include protecting special habitat elements or re-creating them in areas affected by the Project. Examples may include retention of woody material, logs, snags, rocks, and brush piles. Fish and Game Code sections 1002, 1002.5 and 1003 authorize CDFW to issue permits for the take or possession of plants and wildlife for scientific, educational, and propagation purposes. Please see our website for more information on Scientific Collecting Permits at www.wildlife.ca.gov/Licensing/Scientific-Collecting#53949678-regulations-.

7. *Nesting Birds:* Please note that it is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Migratory non-game native bird species are protected by international treaty under the federal Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. 703 *et seq.*). CDFW implemented the MBTA by adopting the Fish and Game Code section 3513. Fish and Game Code sections 3503, 3503.5 and 3800 provide additional protection to nongame birds, birds of prey, their nests and eggs. Sections 3503, 3503.5, and 3513 of the Fish and Game Code afford protective measures as follows: section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by the Fish and Game Code or any regulation made pursuant thereto; section 3503.5 states that is it unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by the Fish and Game Code or any regulation adopted pursuant thereto; and section 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the MBTA 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 MBTA.

   Potential habitat for nesting birds and birds of prey is present within the Project area. The Project should disclose all potential activities that may incur a direct or indirect take to nongame nesting birds within the Project footprint and its vicinity. Appropriate avoidance, minimization, and/or mitigation measures to avoid take must be included in the SEIR.

   CDFW recommends the SEIR include specific avoidance and minimization measures to ensure that impacts to nesting birds or their nests do not occur. Project-specific avoidance and minimization measures may include, but not be limited to: Project phasing and timing, monitoring of Project-related noise (where applicable), sound walls, and buffers, where appropriate. The SEIR should also include specific avoidance and minimization measures that will be implemented should a nest be located within the Project site. In addition to larger, protocol level survey efforts (e.g., Swainson's hawk surveys) and scientific assessments,

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CDFW recommends a final preconstruction survey be required no more than three (3) days prior to vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted earlier.

8. *Moving out of Harm's Way*: The Project is anticipated to result in the clearing of natural habitats that support native species. To avoid direct mortality, the City of Manteca should state in the SEIR a requirement for a qualified biologist with the proper handling permits, will be retained to be onsite prior to and during all ground- and habitat-disturbing activities. Furthermore, the SEIR should describe that the qualified biologist with the proper permits may move out of harm's way special-status species or other wildlife of low or limited mobility that would otherwise be injured or killed from Project-related activities, as needed. The SEIR should also describe qualified biologist qualifications and authorities to stop work to prevent direct mortality of special-status species. CDFW recommends fish and wildlife species be allowed to move out of harm's way on their own volition, if possible, and to assist their relocation as a last resort. It should be noted that the temporary relocation of onsite wildlife does not constitute effective mitigation for habitat loss.

9. *Translocation of Species*: CDFW generally does not support the use of relocation, salvage, and/or transplantation as the sole mitigation for impacts to rare, threatened, or endangered species as these efforts are generally experimental in nature and largely unsuccessful. Therefore, the SEIR should describe additional mitigation measures utilizing habitat restoration, conservation, and/or preservation, in addition to avoidance and minimization measures, if it is determined that there may be impacts to rare, threatened, or endangered species.

The SEIR should incorporate mitigation performance standards that would ensure that impacts are reduced to a less-than-significant level. Mitigation measures proposed in the SEIR should be made a condition of approval of the Project. Please note that obtaining a permit from CDFW by itself with no other mitigation proposal may constitute mitigation deferral. CEQA Guidelines section 15126.4, subdivision (a)(1)(B) states that formulation of mitigation measures should not be deferred until some future time. To avoid deferring mitigation in this way, the SEIR should describe avoidance, minimization and mitigation measures that would be implemented should the impact occur.

California Endangered Species Act

CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to CESA. CDFW recommends that a CESA Incidental Take Permit (ITP) be obtained if the Project has the potential to result in "take" (Fish & G. Code § 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") of State-listed CESA species, either through construction or over the life of the Project.

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State-listed species with the potential to occur in the area include, but are not limited to: Riparian brush rabbit (*Sylvilagus bachmani riparius*), Longfin smelt (*Spirinchus thaleichthys*), Delta button-celery (*Eryngium racemosum*), Swainson's Hawk (*Buteo swainsoni*), California tiger salamander (*Ambystoma californiense*), Tricolored Blackbird (*Agelaius tricolor*) and Western bumble bee (*Bombus occidentalis*).

The SEIR should disclose the potential of the Project to take State-listed species and how the impacts will be avoided, minimized, and mitigated. Please note that mitigation measures that are adequate to reduce impacts to a less-than significant level to meet CEQA requirements may not be enough for the issuance of an ITP. To facilitate the issuance of an ITP, if applicable, CDFW recommends the SEIR include measures to minimize and fully mitigate the impacts to any State-listed species the Project has potential to take. CDFW encourages early consultation with staff to determine appropriate measures to facilitate future permitting processes and to engage with the U.S. Fish and Wildlife Service and/or National Marine Fisheries Service to coordinate specific measures if both State and federally listed species may be present within the Project vicinity.

Native Plant Protection Act

The Native Plant Protection Act (Fish & G. Code §1900 *et seq*.) prohibits the take or possession of State-listed rare and endangered plants, including any part or product thereof, unless authorized by CDFW or in certain limited circumstances. Take of State-listed rare and/or endangered plants due to Project activities may only be permitted through an ITP or other authorization issued by CDFW pursuant to California Code of Regulations, Title 14, section 786.9 subdivision (b).

Lake and Streambed Alteration Program

The SEIR should identify all perennial, intermittent, and ephemeral rivers, streams, lakes, other hydrologically connected aquatic features, and any associated biological resources/habitats present within the entire Project footprint (including utilities, access and staging areas). The environmental document should analyze all potential temporary, permanent, direct, indirect and/or cumulative impacts to the above-mentioned features and associated biological resources/habitats that may occur because of the Project. If it is determined the Project will result in significant impacts to these resources the SEIR shall propose appropriate avoidance, minimization and/or mitigation measures to reduce impacts to a less-than-significant level.

Section 1602 of the Fish and Game Code 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

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3. Deposit debris, waste or other materials where it may pass into any river, stream or lake.

Please note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year-round). This includes ephemeral streams and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water.

If upon review of an entity's notification, CDFW determines that the Project activities may substantially adversely affect an existing fish or wildlife resource, a Lake and Streambed Alteration (LSA) Agreement will be issued which will include reasonable measures necessary to protect the resource. CDFW's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if one is necessary, the SEIR should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with CDFW is recommended, since modification of the Project may avoid or reduce impacts to fish and wildlife resources. Notifications for projects involving (1) sand, gravel or rock extraction, (2) timber harvesting operations, or (3) routine maintenance operations must be submitted using paper notification forms. All other LSA Notification types must be submitted online through CDFW's Environmental Permit Information Management System (EPIMS). For more information about EPIMS, please visit https://wildlife.ca.gov/Conservation/Environmental-Review/EPIMS. More information about LSA Notifications, paper forms and fees may be found at https://www.wildlife.ca.gov/Conservation/Environmental-Review/LSA.

Please note that other agencies may use specific methods and definitions to determine impacts to areas subject to their authorities. These methods and definitions often do not include all needed information for CDFW to determine the extent of fish and wildlife resources affected by activities subject to Notification under Fish and Game Code section 1602. Therefore, CDFW does not recommend relying solely on methods developed specifically for delineating areas subject to other agencies' jurisdiction (such as United States Army Corps of Engineers) when mapping lakes, streams, wetlands, floodplains, riparian areas, etc. in preparation for submitting a Notification of an LSA.

CDFW relies on the lead agency environmental document analysis when acting as a responsible agency issuing an LSA Agreement. CDFW recommends lead agencies coordinate with us as early as possible, since potential modification of the proposed Project may avoid or reduce impacts to fish and wildlife resources and expedite the Project approval process.

The following information will be required for the processing of an LSA Notification and CDFW recommends incorporating this information into any forthcoming CEQA document(s) to avoid subsequent documentation and Project delays:

1. Mapping and quantification of lakes, streams, and associated fish and wildlife habitat (e.g., riparian habitat, freshwater wetlands, etc.) that will be temporarily

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and/or permanently impacted by the Project, including impacts from access and staging areas. Please include an estimate of impact to each habitat type.

2. Discussion of specific avoidance, minimization, and mitigation measures to reduce Project impacts to fish and wildlife resources to a less-than-significant level. Please refer to section 15370 of the CEQA Guidelines.

Based on review of Project materials, aerial photography and observation of the site from public roadways, the proposed Project sites support multiple riparian habitats and ephemeral drainages. CDFW recommends the SEIR fully identify the Project's potential impacts to the stream and/or its associated vegetation and wetlands.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database, which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to CNDDB. The CNNDB field survey form can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Submitting-Data. The completed form can be submitted online or mailed electronically to CNDDB at the following email address: CNDDB@wildlife.ca.gov.

FILING FEES

The Project, as proposed, would have an effect on fish and wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

Pursuant to Public Resources Code sections 21092 and 21092.2, CDFW requests written notification of proposed actions and pending decisions regarding the Project. Written notifications shall be directed to: California Department of Fish and Wildlife North Central Region, 1701 Nimbus Road, Rancho Cordova, CA 95670 or emailed to R2CEQA@wildlife.ca.gov.

CDFW appreciates the opportunity to comment on the Notice of Preparation of the SEIR for the Proposed City of Manteca Zoning Code Update and recommends that the City of Manteca address CDFW's comments and concerns in the forthcoming SEIR. CDFW personnel are available for consultation regarding biological resources and strategies to minimize impacts.

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If you have any questions regarding the comments provided in this letter or wish to schedule a meeting and/or site visit, please contact Zach Kearns, Environmental Scientist at (916) 358-1134 or zachary.kearns@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Tanya Sheya
1ABC45303752499...

Tanya Sheya
Environmental Program Manager

ec: Billie Wilson, Senior Environmental Scientist (Supervisory)
Zach Kearns, Environmental Scientist
Department of Fish and Wildlife

Office of Planning and Research, State Clearinghouse, Sacramento

REFERENCES

Sawyer, J. O., T. Keeler-Wolf, and J. M. Evens. 2009. A Manual of California Vegetation, 2nd ed. California Native Plant Society Press, Sacramento, California. http://vegetation.cnps.org/

12 June 2024

Barbara Harb
City of Manteca
1215 West Center Street, Suite 201
Manteca, CA 95337
bharb@manteca.gov

COMMENTS TO REQUEST FOR REVIEW FOR THE NOTICE OF PREPARATION FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, CITY OF MANTECA ZONING CODE UPDATE, SCH#2024050901, SAN JOAQUIN COUNTY

Pursuant to the State Clearinghouse's 20 May 2024 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Notice of Preparation for the Draft Environmental Impact Report* for the City of Manteca Zoning Code Update, located in San Joaquin County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by

the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:
http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations
All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:
https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_201805.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit
Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits[1]
The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit
Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ. For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml

Clean Water Act Section 404 Permit
If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

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[1] Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

Clean Water Act Section 401 Permit – Water Quality Certification
If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

Waste Discharge Requirements – Discharges to Waters of the State
If USACE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at:https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at: https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Dewatering Permit
If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

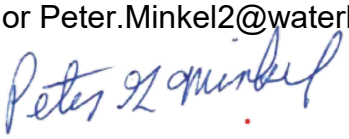
http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

Limited Threat General NPDES Permit
If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit
If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/help/permit/

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.



Peter G. Minkel
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento

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May 22, 2024

Barbara Harb
City of Manteca
1215 W. Center Street
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Manteca CA 95337

Re: 2024050901, City of Manteca Zoning Code Update Project, San Joaquin County

Dear Ms. Harb:

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

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

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

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

AB 52

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

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

- **a.** A brief description of the project.
- **b.** The lead agency contact information.
- **c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- **d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

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

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

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

- **a.** Alternatives to the project.
- **b.** Recommended mitigation measures.
- **c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).

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

- **a.** Type of environmental review necessary.
- **b.** Significance of the tribal cultural resources.
- **c.** Significance of the project's impacts on tribal cultural resources.
- **d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ii. Protecting the traditional use of the resource.

iii. Protecting the confidentiality of the resource.

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

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

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

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

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

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

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

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

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

SB 18

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

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).

2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.

3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).

4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:

- **a.** The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
- **b.** Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

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

NAHC Recommendations for Cultural Resources Assessments

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

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:

- **a.** If part or all of the APE has been previously surveyed for cultural resources.
- **b.** If any known cultural resources have already been recorded on or adjacent to the APE.
- **c.** If the probability is low, moderate, or high that cultural resources are located in the APE.
- **d.** If a survey is required to determine whether previously unrecorded cultural resources are present.

2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.

- **a.** The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.

b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:

a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.

b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.

b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.

c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Pricilla.Torres-Fuentes@NAHC.ca.gov.

Sincerely,

Pricilla Torres-Fuentes

Pricilla Torres Fuentes
Cultural Resources Analyst

cc: State Clearinghouse

APPENDIX B

Uniformly Applied Development Policies and Implementing Actions

APPENDIX B

UNIFORMLY APPLIED DEVELOPMENT POLICIES AND IMPLEMENTING ACTIONS

The analysis in the City's General Plan Update EIR, as augmented by the General Plan Update Supplemental Environmental Impact Report (EIR), creates a foundation to help the City determine whether any California Environmental Quality Act (CEQA) review will be needed for development projects proposed under the CMU and new DMU Zoning Districts. The scope of environmental analysis for development projects in these zoning districts can be limited to those issues that are "peculiar to the project or the site" (CEQA Guidelines Section 15183[a]). CEQA Guidelines Section 15183(f) provides that impacts are *not* considered peculiar to the project or site if uniformly applied development policies or standards substantially mitigate that environmental effect.

The City intends to use this streamlining provision of the CEQA Guidelines to make environmental review less time consuming and expensive, while also ensuring that appropriate measures are taken to reduce potentially significant environmental effects.

This Appendix to the General Plan Update Supplemental EIR identifies Uniformly Applied Development Policies that could apply to development projects proposed within the Mixed Use Commercial (CMU) and Mixed Use Downtown (DMU) Zoning Districts. The table that follows identifies each of the potentially applicable Uniformly Applied Development Policies. This table also includes space for project applicants and the City to indicate whether and how each of these Uniformly Applied Development Policies has been incorporated into a proposed development project. There are three potential entries:

- **Yes, Incorporated into Project (Explain How Incorporated).** Here, it would be appropriate to indicate that the Uniformly Applied Development Policy has been incorporated into the proposed project – either through information gathering and analysis, as a part of the project's design, or as a condition of approval of the project. Regarding the column text, "Explain How Incorporated" – the City's policies are drafted to apply to projects of different types and scales throughout the City's entire Planning Area. Therefore, some of these policies may lack details that would be available at the project level. Here, it would be important to explain how a General Plan policy that is intended to address planning and development throughout the City has been specifically applied for the proposed development project.

- **No, Not Incorporated into Project (Explain Why Not Feasible).** Here, it would be appropriate to explain why a Uniformly Applied Development Policy is infeasible for the t proposed development project. In certain cases, additional environmental analysis and documentation may be required if there is a Uniformly Applied Development Policy that is applicable to the project and could address potential environmental impacts associated with this project, but is not incorporated into a proposed development project.

- **Not Applicable to Project or Not Required to Address Any Project Impact (Explain).** Not all of the Uniformly Applied Development Policies identified in the following table will be applicable to all proposed development projects within the CMU and DMU Zoning Districts. For example, only a small portion of the CMU Zoning District is within the Stockton Metro Airport Area of Influence, and therefore, Uniformly Applied Development Policy LU-2.10 would not apply to most development projects based on their location. There are some Uniformly Applied Development Policies that only apply to specific proposed uses – if the

proposed development project is not a warehouse or logistics center, Uniformly Applied Development Policy LU-5.11 would not be applicable. Finally, some Uniformly Applied Development Policies are formulated to address environmental impacts that may not be relevant to all proposed development projects. For example, Uniformly Applied Development Policy C-7.4 requires certain measures to address impacts related to vehicle miles traveled or "VMT." Affordable housing projects, small projects, multi-family housing projects near services, and other types of projects may not have any potentially significant impacts related to VMT, and therefore, Uniformly Applied Development Policies such as C-7.4 may not apply.

Environmental Impact Substantially Mitigated	Uniformly Applied Development Policies	Yes, Incorporated into Project (Explain How Incorporated)	No, Not Incorporated into Project (Explain Why Not Feasible)	Not Applicable to Project or Not Required to Address Any Project Impact (Explain)
GPU EIR: 3.8-4 and 3.10-2 Addendum: 3.8-1 through 3.8-6, 3.10-1 through 3.10-4, 4.8 and 4.10	LU-2.10 Ensure that development within the Stockton Metropolitan Airport Influence Area (Figure LU-3) is consistent with the compatible uses identified in the Project Review Guidelines for the Airport Land Use Commission. Lands within the Planning Area include lands within Zone 7 (traffic pattern zone) and Zone 8 (airport influence area).			
GPU EIR: 3.8-4 and 3.10-2 Addendum: 3.8-1 through 3.8-6, 3.10-1 through 3.10-4, 4.8 and 4.10	LU-2i Refer all applications for development within the Stockton Metro Airport Area of Influence to the Airport Land Use Commission and the Stockton Metro Airport for comment.			
GPU EIR: 3.1-1, 3.1-3 and 3.1-4 Addendum: 3.1-1 through 3.1-4 and 4.2	LU-3.8 Where planned residential areas and expansions of existing residential neighborhoods interface with commercial, industrial, agricultural industrial, and other non-residential development, require that the proposed development be designed to maximize the compatibility between the uses and reduce any potentially significant or significant impacts associated with aesthetics, land use and planning, air quality, noise, safety, odor, and lighting that are identified through the California Environmental Quality Act (CEQA) review to less than significant.			
GPU EIR: 3.3-1, 3.3-2 and 3.3-3 Addendum: 3.3-1, 3.3-2, 3.3-3 and 4.3	LU-3.9 Locate residences and sensitive receptors away from areas of excessive noise, smoke, dust, odor, and lighting, and ensure that adequate provisions, including buffers or transitional uses, such as less intensive renewable energy production, light industrial, office, or commercial uses, separate the proposed residential uses from more intensive uses, including industrial, agricultural, or agricultural industrial uses and designated truck routes, to ensure the health and well-being of existing and future residents.			
	LU-3c Utilize density transitions, less intense non-residential land use designations, and buffers, including open space, drainage features, landscaping, and multi-use paths, in order to protect the integrity of existing land use patterns and minimize the impacts on existing uses and residents. Development projects shall be designed to: • Locate lower residential densities adjacent to open space, areas of non-industrial and non-processing agricultural use, and existing lower density residential areas;			

Environmental Impact Substantially Mitigated	Uniformly Applied Development Policies	Yes, Incorporated into Project (Explain How Incorporated)	No, Not Incorporated into Project (Explain Why Not Feasible)	Not Applicable to Project or Not Required to Address Any Project Impact (Explain)
	• Locate higher residential densities in proximity to services, transit, and/or employment activity centers; • Where new residential uses are proposed adjacent to existing industrial uses or designated truck routes, the residential development shall incorporate an adequate buffer, such as a throughfare, landscaped open space, parking area, detention basin, multi -use path, or similar feature, to separate the residential uses from the more intensive use. • Where new residential uses are proposed adjacent Highway 99 or Highway 120, the residential development shall incorporate a adequate buffer, such as a throughfare with landscape-separated sidewalk, landscaped open space, parking area, detention basin, or similar feature, to separate the residential uses from freeway uses and the project proponent shall demonstrate any land use conflict identified through the CEQA process will be reduced to less than significant.			
GPU EIR: 3.1-4 Addendum: 3.1-1 through 3.1-4 sand 4.2	LU-4.4 Ensure that all commercial and other non-residential development is compatible with adjacent land uses, particularly residential uses, based upon the location and scale of buildings, lighting, and in conformance with the noise standards of the Safety Element. When development is incompatible, require commercial uses to provide adequate buffers and/or architectural features to protect residential areas, developed or undeveloped, from intrusion of nonresidential activities that may degrade the quality of life in such residential areas.			
GPU EIR: 3.1-4 and 3.2-1 Addendum: 3.1-1 through 3.1-4 and 4.2	LU-4b As part of the City's development review process, ensure that commercial projects are designed to minimize conflicts with residential uses. Review of commercial projects should ensure that the following design concepts are avoided in projects that abut residential areas: • Inappropriate building scale and/or siting on the lot. • Excessive glare or excessive impacts from light sources onto adjacent properties. • Excessive noise generated from freight and waste management activities during night hours. • Excessive air pollutant emissions from freight trucks and large expanses of parking lot areas.			

Environmental Impact Substantially Mitigated	Uniformly Applied Development Policies	Yes, Incorporated into Project (Explain How Incorporated)	No, Not Incorporated into Project (Explain Why Not Feasible)	Not Applicable to Project or Not Required to Address Any Project Impact (Explain)
GPU EIR: 3.1-1, 3.1-3 and 3.1-4 Addendum: 3.1-1 through 3.1-4 and 4.2	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.			
	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.			
GPU EIR: 3.1-1, 3.1-3 and 3.1-4 Addendum: 3.1-1 through 3.1-4 and 4.2	LU-5d As part of the City's development review process, continue to ensure that employment-generating projects are designed to minimize conflicts with residential uses, sensitive receptors, and disadvantaged communities. Review of employment-generating projects should ensure that the following design concepts are addressed in projects that abut residential areas, sensitive receptors, or disadvantaged communities: • Appropriate building scale and/or siting; • Site design and features to protect residential uses and other sensitive receptors, developed or undeveloped, from impacts of non- residential development activities that may cause unwanted nuisances and health risks and to ensure that disadvantaged communities are not exposed to disproportionate environmental or health risks. The site design and features shall be based on best management practices as recommended by CARB, SJVAPCD, and the California Attorney General; • Site design and noise-attenuating features to avoid exposure to excessive noise due to long hours of operation or inappropriate location of accessory structures; • Site and structure design to avoid excessive glare or excessive impacts from light sources onto adjacent properties; and			

Environmental Impact Substantially Mitigated	Uniformly Applied Development Policies	Yes, Incorporated into Project (Explain How Incorporated)	No, Not Incorporated into Project (Explain Why Not Feasible)	Not Applicable to Project or Not Required to Address Any Project Impact (Explain)
	• Site design to avoid unnecessary loss of community and environmental resources (archaeological, historical, ecological, recreational, etc.).			
GPU EIR: 3.3-1, 3.3-2, 3.3-3, 3.7-1 and 3.7-3 Addendum: 3.3-1, 3.3-2, 3.3-3 and 4.3	LU-9a Review all development proposals, planning projects, and infrastructure projects to ensure that potential adverse impacts to disadvantaged communities, such as exposure to pollutants, including toxic air contaminants, and unacceptable levels of noise and vibration are reduced to the extent feasible and that measures to improve quality of life, such as connections to bicycle and pedestrian paths, community services, schools, and recreation facilities, access to healthy foods, and improvement of air quality are included in the project. The review shall address both the construction and operation phases of the project.			
	LU-10.4 Require development projects to provide adequate and appropriately located land, easements, or other accommodation for recreational uses, including neighborhood parks, existing and planned trails, and connections to existing or planned trails and other recreational resources as set forth in the Resource Conservation Element, the Public Facilities and Services Element, and the Circulation Element.			
GPU EIR: 3.3-1, 3.4-3, 3.7-1 and 3.7-3 Addendum: 3.3-4-1 through 3.4-6 and 4.4	C-1.4 While vehicular LOS D is not a requirement in the Downtown area due to the development pattern and limited street right-of-way, traffic studies shall: 1) disclose whether any proposed transportation or land use action will substantially increase traffic at intersections and roadways within this area of the City and 2) identify measures to maintain high quality access and mobility in the area with a priority toward active transportation modes. New discretionary land use permit requests within the Downtown area, which generate net new PM peak-hour vehicle trips, shall participate in enhancing access and mobility for transit, bicycle, and pedestrian modes. These enhancements may include, but are not limited to: • Enhancing sidewalks to create a high quality pedestrian environment, including wider sidewalks and improved crosswalks, native and drought-resistant landscaping, buffers between sidewalks and vehicle travel lanes, enhanced pedestrian lighting, wayfinding signage, shade trees, and canopies, increased availability of benches, provisions for café-style seating, and usage of monument elements and other public art. • Improving bicycle facilities to include attractive and secure bicycle parking, installation of bike lockers in appropriate locations, and provision of bicycle lanes, bike paths, and wayfinding signage along appropriate roadways.			

Environmental Impact Substantially Mitigated	Uniformly Applied Development Policies	Yes, Incorporated into Project (Explain How Incorporated)	No, Not Incorporated into Project (Explain Why Not Feasible)	Not Applicable to Project or Not Required to Address Any Project Impact (Explain)
	• Enhancing transit stops through high quality, well-maintained shelters, and provision of wayfinding signage and transit • Providing off-street parking with high quality access to Downtown businesses, and which is well-maintained and provides amenities like shade streets, canopies, adequate lighting, and wayfinding signage. • Supporting the development of a Downtown Business Improvement District or similar mechanism to help fund ongoing maintenance of the streetscape enhancements.			
GPU EIR: 3.3-1, 3.7-1, 3.7-3 and 3.14-3 Addendum: 3.3-1, 3.3-2, 3.3-3, 3.14-2, 3.14-3 and 4.3	C-2.7 Provide access for bicycles and pedestrians at the ends of cul-de-sacs, where right-of-way is available, to provide convenient access within and between neighborhoods and to encourage walking and bicycling to neighborhood destinations.			
GPU EIR: 3.3-1, 3.7-1, 3.7-3 and 3.14-3 Addendum: 3.3-1, 3.3-2, 3.3-3, 3.7-1, 3.7-2, 3.7-3, 3.14-2, 3.14-3, 4.3 and 4.7	C-2.8 Signals, roundabouts, traffic circles, and other traffic management, calming, and safety techniques shall be applied according to industry standards at residential and collector street intersections with collector and arterial streets in order to allow bicyclists and pedestrians to travel more conveniently and more safely from one neighborhood to another.			
GPU EIR: 3.14-3 Addendum: 3.14-2 and 3.14-3	C-2.12 Require new development to establish joint-use driveways and/or cross access easements to provide access when feasible and/or if: 1) located on street segments identified in C-1.2, 2) located on streets with intersections approaching not meeting LOS D, or 3) the shared access will reduce vehicle miles traveled as determined by the City's Development Services Department. The requirement is intended to preserve the movement function of the major thoroughfare system by requiring development of parallel roads or cross access easements to connect developments as they are permitted along major roads, providing more efficient connections to destinations, and reducing air emissions.			
GPU EIR: 3.14-3 Addendum: 3.14-2 and 3.14-3	C-2.13 Require development projects to arrange streets in an interconnected block pattern, so that pedestrians, bicyclists, and drivers are not forced onto arterial streets for inter- or intra-neighborhood travel to support safer travel. This approach will also add redundancy to the street network, supporting more safe and more efficient movement of emergency responders and help reduce vehicle miles traveled within the community.			

Environmental Impact Substantially Mitigated	Uniformly Applied Development Policies	Yes, Incorporated into Project (Explain How Incorporated)	No, Not Incorporated into Project (Explain Why Not Feasible)	Not Applicable to Project or Not Required to Address Any Project Impact (Explain)
GPU EIR: 3.14-3 Addendum: 3.14-2 and 3.14-3	C-2.14 Residential subdivisions with lots fronting on an existing arterial street shall provide for separate roadway access for vehicles, pedestrians, and bicyclists to the maximum extent feasible, with access to residential lots provided from residential or collector streets. For those properties that currently front arterial streets, consideration should be given to providing separate roadway access where feasible as a condition of approval for any redevelopment or subdivision of the property.			
GPU EIR: 3.14-3 Addendum: 3.14-2 and 3.14-3	C-2.19 In the development of projects, ensure there are adequate corner-sight distances appropriate for the speed and type of facility, including intersections of city streets and private access drives and roadways.			
GPU EIR: 3.14-3 Addendum: 3.14-2 and 3.14-3	C-2.22 Incorporate emergency access, mountable medians, shoulders to bypass queued vehicles, emergency signal preemption, and other features into development and infrastructure projects to improve emergency response times as appropriate and feasible on new roadways and on existing roadways.			
GPU EIR: 3.14-3 Addendum: 3.14-2 and 3.14-3	C-2d Require new development to participate in the implementation of transportation improvements identified in the Major Street Master Plan. Participation shall include the construction of roadways, improvements to roadways, including grade-separated crossings of railroads, payment into the PFIP program, payment into other fee programs, or fair-share payments. In general, the infrastructure needs and methods of participation will be determined through an environmental impact report or transportation impact analysis.			
GPU EIR: 3.3-1, 3.7-1, 3.7-3, 3.14-1 and 3.14-2 Addendum: 3.7-1, 3.7-2, 3.7-3, 3.14-1, 4.7 and 4.14	C-2f Ensure that bicycle and pedestrian access is both provided and prioritized through providing openings to increase access where soundwalls and berms are located to minimize travel distances and increase the viability walking and bicycling.			
GPU EIR: 3.14-1 Addendum: 3.3-1, 3.3-2, 3.3-3, 3.7-1, 3.7-2, 3.7-3, 3.14-1, 4.3, 4.7 and 4.14	C-2g To support the City's goals of reducing VMT, minimizing maintenance costs, and encouraging active transportation, any new or substantially modified roadway shall be as narrow as feasible while being consistent with LOS standards, goods movement policies, and safety best practices. In general, this implementation measure can be achieved by constructing narrower traffic lanes, although wider lanes may be necessary on certain truck routes.			

Environmental Impact Substantially Mitigated	Uniformly Applied Development Policies	Yes, Incorporated into Project (Explain How Incorporated)	No, Not Incorporated into Project (Explain Why Not Feasible)	Not Applicable to Project or Not Required to Address Any Project Impact (Explain)
GPU EIR: 3.14-3 Addendum: 3.14-2 and 3.14-3	C-2m Through the development review process, require joint use access, cross access easements, emergency access, and access prohibitions wherever traffic patterns and physical features make it possible and ensure that proposed street networks are designed to balance local access needs with street capacity.			
GPU EIR: 3.3-1, 3.7-1, 3.7-3, 3.14-2, 3.14-2 and 3.14-3 Addendum: 3.3-1, 3.3-2, 3.3-3, 3.7-1, 3.7-2, 3.7-3, 3.14-2, 3.14-3, 4.3 and 4.7	C-4.2 Improve safety conditions, efficiency, and comfort for bicyclists and pedestrians by providing native and drought-tolerant shade trees and controlling traffic speeds by implementing narrow lanes or other traffic calming measures in accordance with the City Neighborhood Traffic Calming Program on appropriate streets, in particular residential and downtown areas.			
GPU EIR: 3.3-1, 3.7-1, 3.7-3 and 3.14-2 Addendum: 3.3-1, 3.3-2, 3.3-3, 3.7-1, 3.7-2, 3.7-3, 4.3 and 4.7	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.			
GPU EIR: 3.14-2	C-4.9 Provide sidewalks along both sides of all new streets in the City and add sidewalks to fill gaps on existing streets as identified in the Active Transportation Plan.			
GPU EIR and Addendum: 3.14-2 and 3.14-3	C-4c Increase bicyclist and pedestrian safety by: • Providing and maintaining bicycle paths and lanes that promote bicycle travel. • Sweeping, repairing, and maintaining vegetation growth along bicycle lanes and paths on a continuing, regular basis. • Ensuring that bikeways are delineated and signed in accordance with the latest editions of the California MUTCD and AASHTO standards and lighting is provided, where feasible. • Ensuring that all new and improved streets have bicycle-safe drainage grates and eliminate uneven pavement, gravel, encroaching vegetation, and other conditions that may impede user safety, expectations, and convenience. • Providing and maintaining sidewalks and crosswalks.			
GPU EIR: 3.14-2	C-4i Provide for pedestrian access in the Downtown area, along Yosemite Avenue, Main Street, and in other high-use areas by:			

Environmental Impact Substantially Mitigated	Uniformly Applied Development Policies	Yes, Incorporated into Project (Explain How Incorporated)	No, Not Incorporated into Project (Explain Why Not Feasible)	Not Applicable to Project or Not Required to Address Any Project Impact (Explain)
	• Constructing wide sidewalks where feasible to accommodate increased pedestrian use. • Providing improved crosswalks, landscaping, buffers between sidewalks and vehicle travel lanes, enhanced pedestrian lighting. • Improving the walking environment by providing benches, allowing for café seating, and constructing monument elements and other public art. • Providing improvements that enhance pedestrian safety and convenience, such as bulb-outs extending into intersections and at crosswalks to reduce walking distances and provide a safer peninsula for pedestrians. • Providing marked (and signalized, if appropriate) mid-block crossings near schools, parks, or other neighborhood attractions. A landscaped median refuge island, raised/textured sidewalk, or other design features may also be provided. • Providing landscape buffer separated sidewalks.			
GPU EIR: 3.3-1, 3.7-1 and 3.7-3 Addendum: 3.3-1, 3.3-2, 3.3-3, 3.7-1, 3.7-2, 3.7-3, 4.3 and 4.7	C-5g Along fixed route corridors, require that new development to be compatible with and further the achievement of the Circulation Element. Requirements for compatibility may include but are not limited to: • Orienting pedestrian access to transit centers and existing and planned transit routes. • Orienting buildings, walkways, and other features to provide pedestrian access from the street and locating parking to the side or behind the development, rather than separating the development from the street and pedestrian with parking. • Providing clearly delineated routes through parking lots to more safely accommodate pedestrian and bicycle circulation.			
GPU EIR: 3.3-1, 3.7-1, 3.7-3 and 3.14-1 Addendum: 3.3-1, 3.3-2, 3.3-3, 3.7-1, 3.7-2, 3.7-3, 3.14-1, 4.3, 4.7 and 4.14	C-7.2 Require development projects that accommodate or employee 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.			
GPU EIR: 3.3-1, 3.7-1, 3.7-3 and 3.14-1	C-7.4 Require proposed development projects that could have a potentially significant VMT impact to consider reasonable and feasible project modifications			

Environmental Impact Substantially Mitigated	Uniformly Applied Development Policies	Yes, Incorporated into Project (Explain How Incorporated)	No, Not Incorporated into Project (Explain Why Not Feasible)	Not Applicable to Project or Not Required to Address Any Project Impact (Explain)
Addendum: 3.3-1, 3.3-2, 3.3-3, 3.7-1, 3.7-2, 3.7-3, 3.14-1, 4.3, 4.7 and 4.14	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.			
GPU EIR: 3.3-1, 3.7-1, 3.7-3 and 3.14-1 Addendum: 3.3-1, 3.3-2, 3.3-3, 3.7-1, 3.7-2, 3.7-3, 3.14-1, 4.3, 4.7 and 4.14	C-7d Proposed development projects shall incorporate measures to reduce VMT, including consideration of the measures listed below. This list is not intended to be exhaustive, and not all measures may be feasible, reasonable, or applicable to all projects. The purpose of this list is to identify options for future development proposals, not to constrain projects to this list, or to require that a project examine or include all measures from this list. Potential measures, with possible ranges of VMT reduction for a project, include:* • Increase density of development (up to 10.75 percent) • Increase diversity of land uses (up to 12 percent) • Implement car-sharing programs (up to 5 percent) • Implement parking management and pricing (up to 6 percent) • Implement subsidized or discounted transit program (up to 0.7 percent) • Implement commute trip reduction marketing and launch targeted behavioral interventions (up to 3 percent) • Participating in local or regional carpool matching programs** • Providing preferential carpool and vanpool parking** • Providing secure bicycle parking, showers, and lockers at work site** * Note: VMT reduction ranges based on Quantifying Greenhouse Gas Mitigation Measures, California Air Pollution Control Officers Association (2010), and new research compiled by Fehr & Peers (2020). Additional engineering analysis is required prior to applying reductions to specific projects. Actual reductions will vary by project and project context. **Reduction determined at the project-level			
GPU EIR: 3.1-1 and 3.1-3 Addendum: 3.1-1 through 3.1-4 and 4.2	CD-1.7 Minimize the visual impacts of public and private communication, service, and utility facilities by requiring the provider to incorporate sensitive site design techniques, including, but not limited to the placement of facilities in less conspicuous locations, the undergrounding of facilities wherever possible,			

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	incorporating aesthetic features such as murals and civic enhancements, and the screening of facilities			
	CD-2.13 Require that wireless communication equipment within the public right-of-way be integrated and screened from view using techniques such as integration with light standards, streetscape fixtures and, screening with landscaping to the extent allowed by state and federal regulations while providing the desired level of coverage.			
	CD-4.8 Design the multi-family residential, mixed use, commercial, and employment-generating development in neighborhoods, districts, and centers to: • Include open space and/or recreational amenities to provide visual relief from development, form linkages to adjacent uses and other portions of the neighborhood, district, or center, and serve as buffers between uses, where necessary; • Locate building access points along sidewalks, pedestrian areas, and bicycle routes, and include amenities that encourage pedestrian activity; • Create a human-scale ground-floor environment that includes public open areas that separate pedestrian space from auto traffic, or where these intersect, give special regard to pedestrian safety; and • Provide comfortable pedestrian amenities-quality sitting areas, wide paths and shade-along with specialized and engaging design features, such as interesting fountains or public art, which draw and maintain people's attention.			
	CD-5.10 Require the pedestrian and bicycle system within a neighborhood, district, center, or project to connect with other pedestrian and bikeways in adjacent neighborhoods, and ultimately, to the Citywide pedestrian and bikeway trail system.			
GPU EIR: 3.1-1 and 3.1-3 Addendum: 3.1-1 through 3.1-4 and 4.2	CD-6.4 Avoid the blocking of public views by solid walls.			
	CD-6a Incorporate visual buffers, including functional landscaping, equipment and storage area screening, and roof treatments, on properties abutting residentially designated property.			

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GPU EIR: 3.14-1 Addendum: 3.14-1 and 4.14	CD-10.1 Orient building entrance toward the street and provide parking in the rear, when possible.			
GPU EIR: 3.14-1 Addendum: 3.14-1 and 4.14	CD-10.5 Integrate pedestrian elements, including, but not limited to walkways, plazas, and terraces, with buildings to make the pedestrian experience comfortable and convenient, and to protect pedestrians from climatic conditions.			
GPU EIR: 3.13-1 Addendum: 3.13-1, 3.13-2 and 4.13	CF-2c As part of the development review process, consult with the Police Department in order to ensure that the project design facilitates adequate police services and that the project addresses its impacts on police services.			
GPU EIR: 3.13-2 Addendum: 3.13-1, 3.13-2 and 4.13	CF-4.4 Maintain an overall minimum ratio of 5 acres of developed neighborhood and community parkland per 1,000 residents within the city limits, requiring new development to contribute to its fair share of park and recreation needs. The distribution of land between park types and guidelines for park types shall be determined within the Parks and Recreation Master Plan.			
GPU EIR: 3.13-2 Addendum: 3.13-1, 3.13-2 and 4.13	CF-4h Through conditions of approval and/or development agreements, ensure that new development provides for its fair-share of park and recreation facilities, including connections to adjacent facilities, and that the development of new parks, trails, and recreation facilities occurs during the infrastructure construction phase of new development projects so that they are open and available to the public prior to completion of the project.			
	CF-5.6 Ensure that the location of school sites away from significant generators of toxic air contaminants, significant stationary noise sources, and sensitive resource conservation areas, except where the proximity of resources may be of educational value and the protection of resources is reasonably assured.			
	CF-5c Require new development to pay applicable school facility impact fees and work with developers and the school districts to ensure that adequate neighborhood school sites are provided in conjunction with planning for new development and that school and related facilities will be available to serve existing and planned development.			

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GPU EIR: 3.9-2, 3.13-1 and 3.15-1 Addendum: 3.9-1 through 3.9-4, 3.13-1, 3.13-2, 3.15-1, 3.15-2, 4.9, 4.13 and 4.15	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.			
GPU EIR: 3.13-1, 3.15-3 and 3.15-4 Addendum: 3.13-1, 3.13-2, 3.15-3, 3.15-4, 4.13 and 4.15	CF-7b Require new development to provide for and fund a fair share of the costs for adequate sewer distribution, including line extensions, easements, and plant expansions.			
GPU EIR: 3.15-3 and 3.15-4 Addendum: 3.15-1, 3.15-2 and 4.15	CF-7c Require all sewage generators within the City's service area to connect to the City's system, except those areas where on-site treatment and disposal facilities are deemed appropriate.			
GPU EIR: 3.6-2, 3.9-1, 3.9-3, 3.9-4 and 3.15-5 Addendum: 3.6-1 through 3.6-6, 3.9-1 through 3.9-4, 3.15-5, 4.6, 4.9 and 4.15	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.			
GPU EIR: 3.6-2, 3.9-1, 3.9-3, 3.9-4 and 3.15-5 Addendum: 3.6-1 through 3.6-6, 3.9-1 through 3.9-4, 3.15-5, 4.6, 4.9 and 4.15	CF-8d Continue to review development projects to identify potential stormwater and drainage impacts and require development to include measures to ensure that off-site runoff is not increased during rain and flood events.			
	CF-10.3 Require that all new power and gas lines and transformers are installed underground where feasible and promote the undergrounding of existing overhead facilities.			
	CF-10d Require the undergrounding of utility lines in new development, and as areas are redeveloped, except where infeasible for operational reasons.			

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	RC-1.9 Require discretionary projects and flood control and storm water conveyance projects to consider effects on storm water quality and to integrate best management practices, including the integration of natural features such as bioswales, vegetation, and retention ponds to remove surface water pollutants to the greatest extent feasible, while ensuring that these features adequately convey and control storm water to protect human health, safety, and welfare.			
	RC-1.11 Prohibit new septic tanks where sewer service has been extended to incorporated areas.			
	RC-1c Require large commercial and industrial water users to submit a use and conservation plan as part of the project entitlement review and approval process, and develop a program to monitor compliance with and effectiveness of that plan.			
	RC-2.8 Allow development of private water wells only where the City makes a finding that municipal water service is not readily and feasibly available, and such private well systems shall only be allowed to be used until such time as City water service becomes available.			
	RC-2h Require development projects and infrastructure projects to implement low impact development practices, when appropriate, such as techniques that increase surface infiltration in landscaped, turf, and undeveloped areas.			
GPU EIR: 3.9-1 Addendum: 3.9-1 through 3.9.-4 and 4.9	RC-3c Continue to implement, and periodically review/update as necessary, Municipal Code Section 17.48.070(G) (Grading Design Plan). The City shall review projects to ensure that best management practices are implemented during construction and site grading activities, as well as in project design to reduce pollutant runoff into water bodies.			
GPU EIR: 3.3-1, 3.7-1 and 3.7-3 Addendum: 3.3-1, 3.3-2, 3.3-3, 3.7-1, 3.7-2, 3.7-3, 4.3 and 4.7	RC-4.5 Require private development to incorporate non-traditional non-polluting renewable energy sources such as co-generation, wind, and solar, where feasible, to reduce dependence on fossil fuels and meet climate goals.			
GPU EIR: 3.3-1 and 3.7-1 Addendum: 3.3-1, 3.3-2, 3.3-3, 3.7-1, 3.7-2, 3.7-3, 4.3 and 4.7	RC-4b Implement development standards, mitigation measures (as applicable), and best practices that require energy conservation and the reduction in greenhouse gases, including: • Require new development to incorporate energy-efficient features through passive design concepts (e.g., techniques for heating and cooling, building siting			

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	orientation, street and lot layout, landscape placement, and protection of solar access); • Require construction standards which promote energy conservation including window placement, building eaves, and roof overhangs; • Require all projects to meet or, when feasible, exceed the most current "green" development standards in the California Green Building Standards Code; • Require developments to include vehicle charging stations that meet or exceed the requirements of State law and to include outdoor electrical outlets. Discourage portable generators or other portable power sources; • Require best practices in selecting construction methods, building • Encourage projects to incorporate enhanced energy conservation measures, electric-only appliances, and other methods of reducing energy usage and greenhouse gas emissions; and • Require large energy users to implement an energy conservation plan, which may include solar or other non-fossil fuel sources to meet the operation's full power demand and 100% fleet electrification, as part of the project review and approval process, and develop a program to monitor compliance with and effectiveness of that plan.			
GPU EIR: 3.3-1, 3.3-2, 3.3-3, 3.7-1 and 3.7-3 Addendum: 3.3-1, 3.3-2, 3.3-3, 3.7-1, 3.7-2, 3.7-3, 4.3 and 4.7	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..			
GPU EIR: 3.3-1, 3.3-2, 3.3-3, 3.7-1, and 3.7-3 Addendum: 3.3-1, 3.3-2, 3.3-3, 3.7-1, 3.7-2, 3.7-3, 4.3 and 4.7	RC-5.3 Require construction and operation of new development to be managed to minimize fugitive dust and air pollutant emissions.			

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GPU EIR: 3.3-1, 3.3-2, 3.3-3, 3.7-1 and 3.7-3 Addendum: 3.3-1, 3.3-2, 3.3-2, 3.7-1, 3.7-2, 3.7-3, 4.3 and 4.7	RC-5.4 Require installation of energy-efficient appliances and equipment, including wood-burning devices, in development projects to meet current standards for controlling air pollution, including particulate matter and toxic air contaminants.			
GPU EIR: 3.3-1, 3.3-2, 3.3-3, 3.7-3 and 3.14-1 Addendum: 3.3-1, 3.3-2, 3.3-2, 3.7-1, 3.7-2, 3.7-3, 3.14-1, 4.3, 4.7 and 4.14	RC-5b Review development, land use, transportation, and other projects that are subject to CEQA for potentially significant climate change and air quality impacts, including toxic and hazardous emissions and require that projects provide adequate, appropriate, and cost-effective mitigation measures reduce significant and potentially significant impacts. This includes, but is not limited to, the following: • Use of the Air District "Guide for Assessing and Mitigating Air Quality Impacts", as may be amended or replaced from time to time, in identifying thresholds, evaluating potential project and cumulative impacts, and determining appropriate mitigation measures; • Contact the Air District for comment regarding potential impacts and mitigation measures as part of the evaluation of air quality effects of discretionary projects that are subject to CEQA; • Require projects to participate in regional air quality mitigation strategies, including Air District-required regulations, as well as recommended best management practices when applicable and appropriate ; • Promote the use of new and replacement fuel storage tanks at refueling stations that are clean fuel compatible, if technically and economically feasible; • The use of energy efficient lighting (including controls) and process systems beyond Title 24 requirements shall be encouraged where practicable (e.g., water heating, furnaces, boiler units, etc.); • The use of energy efficient automated controls for air conditioning beyond Title 24 requirements shall be encouraged where practicable; and • Promote solar access through building siting to maximize natural heating and cooling, and landscaping to aid passive cooling and to protect from winds;			

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	• The developer of a sensitive air pollution receptor shall submit documentation that the project design includes appropriate buffering (e.g., setbacks, landscaping) to separate the use from highways, arterial streets, hazardous material locations and other sources of air pollution or odor; • Identify sources of toxic air emissions and, if appropriate, require preparation of a health risk assessment in accordance with Air District-recommended procedures; and • Circulate the environmental documents for projects with significant air quality impacts to the Air District for review and comment.			
GPU EIR: 3.3-1, 3.3-2, 3.3-3, 3.7-1 and 3.7-3 Addendum: 3.3-1, 3.3-2, 3.3-3, 3.7-1, 3.7-2, 3.7-3, 4.3 and 4.7	RC-5c Review area and stationary source projects that could have a significant air quality impact, either individually or cumulatively, to identify the significance of potential impacts and ensure that adequate air quality mitigation is incorporated into the project, including: • The use of best available and economically feasible control technology for stationary industrial sources; • All applicable particulate matter control requirements of Air District Regulation VIII; • The use of new and replacement fuel storage tanks at refueling stations that are clean fuel compatible, if technically and economically feasible; • Provision of adequate electric or natural gas outlets to encourage use of natural gas or electric barbecues and electric gardening equipment; and • Use of alternative energy sources.			
GPU EIR: 3.3-1, 3.3-2 and 3.3-3 Addendum: 3.3-1, 3.3-2, 3.3-3 and 4.3	RC-5e Prior to entitlement of a project that may be an air pollution point source, such as a manufacturing and extracting facility, the developer shall provide documentation that the use is located and appropriately separated from residential areas and sensitive receptors (e.g., homes, schools, and hospitals). Appropriate separation shall be determined through a Health Risk Assessment that demonstrates the project would not expose sensitive receptors to toxic air contaminants at or above significance thresholds as determined by the SJVAPCD.			
GPU EIR: 3.3-1, 3.3-2 and 3.3-3 Addendum:	RC-5f Construction activity plans shall comply with Air District Rule 8021, including implementation of all required dust control measures and shall, where required, provide a dust management plan to prevent fugitive dust from leaving			

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3.3-1, 3.3-2, 3.3-3 and 4.3	the property boundaries and causing a public nuisance or a violation of an ambient air standard. • Project development applicants shall be responsible for ensuring that all adequate dust control measures are implemented in a timely manner during all phases of project development and construction.			
GPU EIR: 3.2-1 Addendum: 3.2-1, 3.2-2, 3.2-3 and 4.2	RC-7.7 Require common or private open space that is not City property to be privately maintained.			
GPU EIR: 3.2-1 Addendum: 3.2-1, 3.2-2, 3.2-3 and 4.2	RC-7.11 Require the development projects to reduce impacts on agricultural lands through the use of buffers, such as greenbelts, drainage features, parks, or other improved and maintained features, in order to separate residential and other sensitive land uses, such as schools and hospitals, from agricultural operations and from lands designated Agriculture.			
GPU EIR: 3.2-1 Addendum: 3.2-1, 3.2-2, 3.2-3 and 4.2	RC-7e Apply the following conditions of approval where urban development occurs next to farmland. • Require notifications in urban property deeds that agricultural operations are in the vicinity, in keeping with the City's right-to- farm ordinance. • Require adequate and secure fencing at the interface of urban and agricultural use. • Require phasing of new residential subdivisions; so as to include an interim buffer between residential and agricultural use. • Require a buffer, which may include a roadway and landscaped buffer, open space transition area, or low intensity uses, between urban uses and lands designated Agriculture on the Land Use Map.			
	RC-8.6 Discourage the premature removal of heritage trees in advance of development, and avoid the removal of other large, mature trees that provide wildlife habitat or contribute to the visual quality of the environment to the greatest extent feasible through appropriate project design and building siting. If full avoidance is not possible, prioritize planting of replacement trees on-site over off-site locations.			

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GPU EIR: 3.4-2, 3.4-4 and 3.4-6 Addendum: 3.4-1 through 3.4-6 and 4.4	RC-8a Continue to require projects to comply with the requirements of the County Habitat Plan when reviewing proposed public and private land use changes.			
GPU EIR: 3.4-2 and 3.4-4 Addendum: 3.4-1 through 3.4-6 and 4.4	RC-8b Require project proponents who opt not to participate in the SJMSCP to: Satisfy applicable U.S. Endangered Species Act (ESA), California Endangered Species Act (CESA), National Environmental Policy Act (NEPA), California Environmental Quality Act (CEQA), and other applicable local, state, and federal laws and regulation provisions through consultations with the Permitting Agencies and local planning agencies. Provide site-specific research and ground surveys for proposed development projects. This research must include a detailed inventory of all biological resources onsite, and appropriate mitigation measures for avoiding or reducing impact to these biological resources. This requirement may be waived if determined by the City that the proposed project area is already sufficiently surveyed.			
GPU EIR: 3.4-3 Addendum: 3.4-1 through 3.4-6 and 4.4	RC-8c Until such time that a Clean Water Act regional general permit or its equivalent is issued for coverage under the SJMSCP, acquisition of a Section 404 permit by project proponents will continue to occur as required by existing regulations. Project proponents shall comply with all requirements for protecting federally protected wetlands.			
	RC-8d Continue to enforce the City's heritage tree ordinance which defines and identifies mature trees to be protected, and establishes regulations for their protection and removal.			
GPU EIR: 3.2-2, 3.2-4, 3.4-2, 3.4-3 and 3.4-4 Addendum: 3.4-1 through 3.4-6 and 4.4	RC-8e Limit the access of pedestrians and bicyclists to wetland areas so that access is compatible with long-term protection of these natural resources.			
GPU EIR: 3.4-2 and 3.4-4 Addendum: 3.4-1 through 3.4-6 and 4.4	RC-8g Where sensitive biological habitats have been identified on or immediately adjacent to a project site, the project shall include appropriate mitigation measures identified by a qualified biologist.			
GPU EIR: 3.4-4	RC-8h Utilize existing regulations and procedures, including but not limited to, the Zoning Ordinance and the environmental review process, in order to address			

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Addendum: 3.4-1 through 3.4-6 and 4.4	impacts to special-status species and conserve sensitive habitats, including wetlands and riparian habitat.			
GPU EIR: 3.5-1, 3.5-3 and 3.6-6 Addendum: 3.5-1, 3.5-2, 3.5-3 and 4.5	RC-10.3 Do not approve any public or private project that may adversely affect an archaeological site without consulting the California Archaeological Inventory at Stanislaus State University, conducting a site evaluation as may be indicated, and attempting to mitigate any adverse impacts according to the recommendation of a qualified archaeologist. City implementation of this policy shall be guided by CEQA and the National Historic Preservation Act.			
GPU EIR: 3.5-1 and 3.5-3 Addendum: 3.5-1, 3.5-2, 3.5-3 and 4.5	RC-10.6 Support the efforts of property owners to preserve and renovate historic and architecturally significant structures. Where such buildings cannot be preserved intact, the City shall seek to preserve the building facades.			
GPU EIR: 3.5-2 Addendum: 3.5-1, 3.5-2, 3.5-3 and 4.5	RC-10.9 Review new development projects and work in conjunction with the California Historical Resources Information System to determine whether project areas contain known archaeological resources, either prehistoric and/or historic-era, or have the potential for such resources.			
GPU EIR: 3.5-2 Addendum: 3.5-1, 3.5-2, 3.5-3 and 4.5	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.			
GPU EIR: 3.5-2 and 3.5-3 Addendum: 3.5-1, 3.5-2, 3.5-3 and 4.5	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.			
GPU EIR: 3.5-1, 3.5-2, 3.5-3 and 3.6-6 Addendum: 3.5-1 through 3.5-3, 3.6-1 through 3.6.-6, 4.5 and 4.6	RC-10a Require a records search for any proposed development project, to determine whether the site contains known archaeological, historic, cultural, or paleontological resources and/or to determine the potential for discovery of additional cultural or paleontological resources. This requirement may be waived if determined by the City that the proposed project area is already sufficiently surveyed.			
GPU EIR: 3.5-1, 3.5-3 and 3.6-6 Addendum:	RC-10b Require a cultural and archaeological survey prior to approval of any project which would require excavation in an area that is sensitive for cultural or archaeological resources and require a paleontological survey in an area that is sensitive for paleontological resources. If significant cultural, archaeological, or			

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3.5-1, 3.5-2, 3.5-3, 3.6-1 through 3.6.-6, 4.5 and 4.6	paleontological resources, including historic and prehistoric resources, are identified, appropriate measures shall be implemented, such as documentation and conservation, to reduce adverse impacts to the resource.			
GPU EIR: 3.5-1 and 3.6-6 Addendum: 3.5-1, 3.5-2, 3.5-3, and 4.5	RC-10c Require all City permits for reconstruction or modification of existing buildings to include the submittal of a photograph of the existing structure or site. The intent is to create a record of the buildings in the City over time. A photograph will also be required for vacant sites that will be modified with new construction of new buildings or other above ground improvements.			
GPU EIR: 3.5-1 and 3.5-3 Addendum: 3.5-1, 3.5-2, 3.5-3, and 4.5	RC-10d Incorporate significant archaeological sites, where feasible, into open space areas.			
GPU EIR: 3.5-2, 3.5-3 and 3.6-6 Addendum: 3.5-1, 3.5-2, 3.5-3, and 4.5	RC-10j Require all new development, infrastructure, and other ground-disturbing projects to comply with the following conditions in the event of an inadvertent discovery of cultural resources or human remains: • If construction or grading activities result in the discovery of significant historic or prehistoric archaeological artifacts or unique paleontological resources, all work within 100 feet of the discovery shall cease, the Development Services Director shall be notified, the resources shall be examined by a qualified archaeologist, paleontologist, or historian for recommended protection and preservation measures; and work may only resume when recommended protections are in place and have been approved by the Development Services Director; • If construction or grading activities result in the discovery of significant tribal cultural resources, all work within 100 feet of the discovery shall cease, the Development Services Director shall be notified, the resources shall be examined by a qualified archaeologist and Native American tribes on the City's SB 18 and AB 52 list for recommended protection and preservation measures and work may only resume when recommended protections are in place and have been approved by the Development Services Director; and If human remains are discovered during any ground disturbing activity, work shall stop until the Development Services Director and the San Joaquin County Coroner have been contacted; if the human remains are determined to be of Native American origin, the Native American Heritage Commission and the most likely descendants have been consulted; and work may only resume hen			

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	measures to relocate or preserve the remains in place, based on the above consultation, have been taken and approved by the Development Services Director.			
GPU EIR: 3.4-1, 3.4-3 and 3.10-2 Addendum: 3.4-1 through 3.4-6, 3.10-1 through 3.10-4, 4.4 and 4.10	RC-11a Review all projects affecting areas within the Delta Secondary Zone to ensure they are consistent with the criteria and policies set forth by the Delta Stewardship Council's "Delta Plan".			
GPU EIR: 3.6-1 through 3.6-4 Addendum: 3.6-1 through 3.6-6, and 4.6	S-2.2 Regulate development in areas of seismic and geologic hazards to reduce risks to life and property associated with earthquakes, liquefaction, erosion, and expansive soils.			
GPU EIR: 3.6-1 through 3.6-4 Addendum: 3.6-1 through 3.6-6, and 4.6	S-2.3 Require new development to mitigate the potential impacts of geologic and seismic hazards, including uncompacted fill, liquefaction, and subsidence, through the development review process.			
GPU EIR: 3.6-1, 3.6-3 and 3.6-4 Addendum: 3.6-1 through 3.6-6 and 4.6	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.			
GPU EIR: 3.6-1 through 3.6-4 Addendum: 3.6-1 through 3.6-6 and 4.6	S-2a Continue to require preparation of geotechnical reports for proposed development projects, public projects, and all critical structures. The reports should include, but not be limited to: evaluation of and recommendations to mitigate the effects of fault displacement, ground shaking, uncompacted fill, expansive soils, liquefaction, subsidence, and settlement. Recommendations from the report shall be incorporated into the development project to address seismic and geologic risks identified in the report.			
	S-3.4 New development may be permitted in areas not identified as "urban" or "urbanizing" provided that: 1) Such areas are protected from 100-year flooding by FEMA- accredited levees or equivalent flood protection as shown on an adopted FEMA Flood Insurance Rate Map, a FEMA-approved Letter of Map Revision or a Conditional Letter of Map Revision, subject to conditions specified in the letter; or 2) Where not protected by FEMA-accredited 100-year levees, such areas are			

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	subject to all applicable requirements of Municipal Code Chapter 8.30 (Floodplain Management), the California Building Standards Code as adopted by the City, and the latest promulgated FEMA standards for development in the 100-year floodplain, provided that new development approval will not cause the project site or area to be defined as "urban" or "urbanizing."			
	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.			
	S-3k Circulate development proposals to reclamation districts, Manteca Police Services, and the applicable fire department (Manteca Fire Department, Lathrop Manteca Fire District, or Ripon Consolidated Fire District) for comment as part of the project review process.			
GPU EIR: 3.8-1 and 3.8-2 Addendum: 3.8-1 through 3.8-6 and 4.8	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.			
GPU EIR: 3.8-1, 3.8-2 and 3.8-6 Addendum: 3.8-1 through 3.8-6 and 4.8	S-4a As part of the development review process, require projects that result in significant risks associated with hazardous materials to include measures to address the risks and reduce the risks to an acceptable level.			
GPU EIR: 3.8-1 and 3.8-2 Addendum: 3.8-1 through 3.8-6 and 4.8	S-4b Review development proposals to address proximity of users and transporters of significant amounts of hazardous materials relative to sensitive uses, such as schools and residential neighborhoods, and to ensure adequate measures are in place to reduce risks to an acceptable level.			
GPU EIR: 3.8-1 and 3.8-2 Addendum: 3.8-1 through 3.8-6 and 4.8	S-4c Continue to require the submittal of information regarding hazardous materials manufacturing, storage, use, transport, and/or disposal by existing and proposed businesses and developments to the Manteca Fire Department.			
GPU EIR: 3.12-1 and 3.12-2	S-6.3 Areas within Manteca exposed to existing or projected exterior noise levels from mobile noise sources exceeding the performance standards in Table S-1 shall			

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Addendum: 3.12-1 through 3.12-6 and 4.12	be designated as noise-impacted areas. Figure S-3 identifies noise contours anticipated at General Plan buildout.			
GPU EIR: 3.12-1, 3.12-2 and 3.12-3 Addendum: 3.12-1 and 4.12	S-6.4 Require residential and other noise-sensitive development projects to satisfy the noise level criteria in Tables S-1 and S-2.			
GPU EIR: 3.12-3 Addendum: 3.12-2 through 3.12-6	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			
GPU EIR: 3.12-3 and 3.12-4 Addendum: 3.12-2 through 3.12-6	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 S-2 cannot be met, to the maximum level feasible using best management practices and complying with the MMC Chapter 9.52.			
GPU EIR: 3.12-1, 3.12-2 and 3.12-3 Addendum: 3.12-1 through 3.12-6 and 4.12	S-6.7 Where the development of residential or other noise-sensitive land use is proposed for a noise-impacted area or where the development of a stationary noise source is proposed in the vicinity of noise- sensitive uses, an acoustical analysis is required as part of the development review process so that noise mitigation may be considered in the project design. The acoustical analysis shall: • Be the responsibility of the applicant. • Be prepared by a qualified acoustical consultant experienced in the fields of environmental noise assessment and architectural acoustics. • Include representative noise level measurements with sufficient sampling periods and locations to adequately describe local conditions and the predominant noise sources. • Estimate existing and projected (20 years) noise levels in terms of the standards of Table S-1 or Table S-2, and compare those levels to the adopted policies of the Noise Element. • Recommend appropriate mitigation measures to achieve compliance with the adopted policies and standards of the Noise Element. • Estimate noise exposure after the prescribed mitigation measures			

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	• If necessary, describe a post-project assessment program to monitor the effectiveness of the proposed mitigation measures.			
GPU EIR: 3.12-3 Addendum: 3.12-1 and 4.12	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.			
GPU EIR: 3.12-1 and 3.12-2 Addendum: 3.12-1 through 3.12-6 and 4.12	S-6.12 For new residential development backing on to a freeway or railroad right-of-way, the developer shall be required to incorporate appropriate noise-attenuation measures to satisfy the performance standards in Table S-1.			
GPU EIR: 3.12-1 Addendum: 3.12-1 and 4.12	S-6.15 Recognizing that existing noise-sensitive uses may be exposed to increase noise levels due to circulation improvement projects associated with development under the General Plan and that it may not be feasible to reduce increased traffic noise levels to the criteria identified in Table S-1, the following criteria may be used to determine the significance of noise impacts associated with circulation improvement projects: • Where existing traffic noise levels are less than 60 dB L_{dn} at the outdoor activity areas of noise-sensitive uses, a +5 dB L_{dn} increase in noise levels due to roadway improvement projects will be considered significant; and • Where existing traffic noise levels range between 60 and 65 dB L_{dn} at the outdoor activity areas of noise-sensitive uses, a +3 dB L_{dn} increase in noise levels due to roadway improvement projects will be considered significant; and • Where existing traffic noise levels are greater than 65 dB L_{dn} at the outdoor activity areas of noise-sensitive uses, a + 1.5 dB L_{dn} increase in noise levels due to roadway improvement projects will be considered significant.			
GPU EIR: 3.12-1, 3.12-2 and 3.12-3 Addendum: 3.12-1 through 3.12-6 and 4.12	S-6a Require an acoustical analysis that complies with the requirements of S-5.7 where: • Noise sensitive land uses are proposed in areas exposed to existing or projected noise levels exceeding the levels specified in Table S-1 or S-2. • Proposed transportation projects are likely to produce noise levels exceeding the levels specified in Table S-1 or S-2 at existing or planned noise sensitive uses.			

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GPU EIR: 3.12-1, 3.12-4 and 3.12-5 Addendum: 3.12-1 through 3.12-6 and 4.12	S-6c Update the City's Noise Ordinance (Chapter 9.52) to reflect the noise standards established in this Safety Element and proactively enforce the City's Noise Ordinance, including requiring the following measures for construction: • Restrict construction activities to the hours of 7:00 a.m. to 7:00 p.m. on Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturdays. No construction shall be permitted outside of these hours or on Sundays or federal holidays, without a specific exemption issued by the City. No exemption shall be issued for construction within 200 feet of residential uses. • A Construction Noise Management Plan shall be submitted by the applicant for construction projects that exceed ambient noise levels by more than 12 dBA or produce perceptible vibrations at any off-site structures. The Construction Noise Management Plan shall include proper posting of construction schedules, appointment of a noise disturbance coordinator, methods for assisting in noise reduction measures, and shall establish allowed truck routes to access the site that minimize exposure of residential areas to heavy truck traffic. • Noise reduction measures shall include, but are not limited to, the following: a. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds) wherever feasible. b. Except as provided herein, impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used. This muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available. This would achieve a reduction of up to 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures. c. Temporary power poles or zero-emission power sources shall be used instead of generators where feasible. d. Stationary noise sources shall be located as far from adjacent properties as possible, and they shall be muffled and enclosed within temporary sheds,			

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	incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction. e. he noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented. f. Delivery of materials shall observe the hours of operation described above. g. Truck traffic shall avoid residential areas to the greatest extent feasible.			
GPU EIR: 3.12-1 Addendum: 3.12-1 and 4.12	S-6d In making a determination of impact under the California Environmental Quality Act (CEQA), a substantial increase will occur if ambient noise levels are have a substantial increase. Generally, a 3 dB increase in noise levels is barely perceptible, and a 5 dB increase in noise levels is clearly perceptible. Therefore, increases in noise levels shall be considered to be substantial when the following occurs: Transportation Noise • When existing noise levels are less than 60 dB, a 5 dB increase in noise will be considered substantial; • When existing noise levels are between 60 dB and 65 dB, a 3 dB increase in noise will be considered substantial; • When existing noise levels exceed 65 dB, a 1.5 dB increase in noise will be considered substantial. Non-Transportation Noise • An 5 dB increase in noise will be considered substantial. Construction Noise • An increase in 12 dBA in noise will be considered substantial.			
GPU EIR: 3.12-1, 3.12-2 and 3.12-3 Addendum: 3.12-1 through 3.12-6 and 4.12	S-6e Control noise at the source through use of insulation, berms, building design and orientation, buffer space, staggered operating hours, and similar techniques. Where such techniques would not meet acceptable levels, use noise barriers to attenuate noise associated with new noise sources to acceptable levels.			
GPU EIR: 3.12-1, 3.12-2 and 3.12-3 Addendum: 3.12-1 through 3.12-6 and 4.12	S-6f Require that all noise-attenuating features, including soundwalls and quieter pavements, are designed to be attractive and to minimize maintenance.			

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Addendum: 3.12-2 through 3.12-6	S-6j The City shall require new residential projects located adjacent to major freeways, truck routes, hard rail lines, or light rail lines to follow the FTA screening distance criteria to ensure that groundborne vibrations to do not exceed acceptable levels.			

Table S-1: Maximum Allowable Noise Exposure from Mobile Noise Sources

Land Use[1]	Outdoor Activity Areas[2,3]	Interior Spaces	
		Ldn/ CNEL, dBA	Leq, dBA[4]
Residential	60	45	-
Motels/Hotels	65	45	-
Mixed-Use	65	45	
Hospitals, Nursing Homes	60	45	-
Theaters, Auditoriums	-	-	35
Churches	60	-	40
Office Buildings	65	-	45
Schools, Libraries, Museums	70	-	45
Playgrounds, Neighborhood Parks	70	-	-
Industrial	75	-	45
Golf Courses, Water Recreation	70	-	-

1 Where a proposed use is not specifically listed, the use shall comply with the standards for the most similar use as determined by the City.

2 Outdoor activity areas for residential development are considered to be the back yard patios or decks of single family units and the common areas where people generally congregate for multi-family developments. Where common outdoor activity areas for multi-family developments comply with the outdoor noise level standard, the standard will not be applied at patios or decks of individual units provided noise-reducing measures are incorporated (e.g., orientation of patio/deck, screening of patio with masonry or other noise-attenuating material). Outdoor activity areas for non-residential developments are the common areas where people generally congregate, including pedestrian plazas, seating areas,

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	and outside lunch facilities; not all residential developments include outdoor activity areas. 3 In areas where it is not possible to reduce exterior noise levels to achieve the outdoor activity area standard w using a practical application of the best noise-reduction technology, an increase of up to 5 L_{dn} over the standard will be allowed provided that available exterior noise reduction measures have been implemented and interior noise levels are in compliance with this table. 4 Determined for a typical worst-case hour during periods of use. **Table S-2: Performance Standards for Stationary Noise Sources, Including Affected Projects**[1, 2, 3, 4] Noise Level Descriptor: Daytime 7 am to 10 pm — Nighttime 10 pm to 7 am Hourly Leq, dBA: 55 — 45 1 Each of the noise levels specified above should be lowered by 5 dB for simple noise tones, noises consisting primarily of speech or music, or recurring impulsive noises. Such noises are generally considered to be particularly annoying and are a primary source of noise complaints. 2 No standards have been included for interior noise levels. Standard construction practices should, with the exterior noise levels identified, result in acceptable interior noise levels. 3 Stationary noise sources which are typically of concern include, but are not limited to, the following: HVAC Systems — Cooling Towers/Evaporative Condensers Pump Stations — Lift Stations Emergency Generators — Boilers Steam Valves — Steam Turbines Generators — Fans Air Compressors — Heavy Equipment Conveyor Systems — Transformers Pile Drivers — Grinders Drill Rigs — Gas or Diesel Motors Welders — Cutting Equipment			

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	Outdoor Speakers Blowers 4 The types of uses which may typically produce the noise sources described above include but are not limited to: industrial facilities, pump stations, trucking operations, tire shops, auto maintenance shops, metal fabricating shops, shopping centers, drive-up windows, car washes, loading docks, public works projects, batch plants, bottling and canning plants, recycling centers, electric generating stations, race tracks, landfills, sand and gravel operations, and athletic fields			
SEIR: Mitigation Measure 3.3-2	RC-5g The City shall require construction equipment over 50 brake horsepower used in locations within 300 feet of an existing sensitive receptor to meet Tier 4 Final engine emission standards. Alternatively, a project applicant may prepare a site-specific estimate of diesel particulate matter emissions associated with total construction activities and evaluate for health risk impact on existing sensitive receptors in order to demonstrate that applicable San Joaquin Valley Air Pollution Control District-recommended thresholds for toxic air contaminants would not be exceeded or that applicable thresholds would not be exceeded with the application of alternative mitigation techniques approved by the San Joaquin Valley Air Pollution Control District.			