

Evans Estates-Pillsbury Estates Project Final Environmental Impact Report—Findings of Fact and Statement of Overriding Considerations

INTRODUCTION

Project and Alternatives

The City of Manteca (City) has prepared a final environmental impact report (EIR) in compliance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (Title 14, California Code of Regulations [CCR], Section 15000 et seq.) for the Evans Estates–Pillsbury Estates development project (proposed project). The final EIR document consists of two volumes: the final EIR (i.e., the comments received on the draft EIR, responses, a list of commenters, and revisions made to the draft EIR) and the draft EIR.

Findings of Fact—CEQA Requirements

CEQA requires the lead agency, the City of Manteca (City), to make written findings when deciding to approve a project for which an EIR was certified (Public Resources Code Section 21081). The findings explain how the lead agency approached the significant impacts identified in the EIR. “Significant impacts” include the adverse effects of the project that can be reduced to less-than-significant levels through implementation of mitigation measures identified in the EIR, as well as significant and unavoidable effects.

The State CEQA Guidelines (14 CCR) further explain the required findings. Specifically, Section 15091 of the State CEQA Guidelines states that:

“(a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

“(1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

“(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

“(3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

“(b) The findings required by subsection (a) shall be supported by substantial evidence in the record.”

The “changes or alterations” referred to in the guidelines may be mitigation measures, alternatives to the project, or changes incorporated into the project by the project proponent. “Substantial evidence” means factual evidence, including expert opinion supported by facts. Where a mitigation measure is cited in support of finding (a)(1), the finding of fact paraphrases that mitigation measure.

In addition to describing the disposition of the various significant effects identified in the EIR, the findings must also explain why the project alternatives described in the EIR are not being selected for implementation. In other words, the City is required to describe the specific economic, legal, social, technological, or other considerations that make each alternative infeasible. The City considered several potential alternatives in its screening of alternatives for analysis in the EIR. Through this process, the following alternatives were either considered and rejected or analyzed in the EIR:

- **Alternative 1**—Alternative Site
- **Alternative 2**—Reduced Density
- **Alternative 3**—Reduced Footprint
- **Alternative 4**—Commercial Mixed Use Alternative
- **Alternative 5**—Alternative Tentative Map for Evans Estates and Pillsbury Estates
- **Alternative 6**—No-Project Alternative (No Development)

Alternatives 1, 2, and 3 were found to not meet the project’s objectives, offer substantial reduction in potential impacts, and/or were determined to be infeasible. Therefore, they were not carried forward for analysis in the EIR. Alternatives 4, 5, and 6 were carried forward for consideration in the Draft EIR.

Statement of Overriding Considerations—CEQA Requirements

CEQA prohibits an agency from approving a project that will have significant, unavoidable environmental impacts unless the agency adopts a statement describing the specific

benefits of the project that will outweigh its expected unavoidable impacts. If the project's specific economic, legal, social, technological, or other benefits outweigh the unavoidable adverse environmental effects, those effects may be considered acceptable, notwithstanding the fact that they cannot be avoided. This "statement of overriding considerations" must be supported by substantial evidence (State CEQA Guidelines Section 15093).

FINDINGS OF FACT

The findings described below are organized by resource issue, in the same order as the impacts are discussed in the final EIR. The City's findings of infeasibility for the project alternatives follow the individual impact findings.

Proposed Project Impact Findings

Impact AG-1: Direct Conversion of Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Other Farmland to Nonagricultural Use

Findings: The City hereby makes findings (a)(1) and (a)(3), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. The proposed project would result in the direct conversion of 240 acres of Farmland of Statewide Importance to nonagricultural uses. The entire project site has been identified by the California Department of Conservation as Farmland of Statewide Importance.
2. To implement the goals and objectives of the General Plan 2023 and mitigate impacts caused by new development in Manteca, the City requires payment of an agricultural mitigation fee. This fee is intended to mitigate the loss of productive agricultural lands converted for urban uses within the city by permanently protecting agricultural lands planned for agricultural use and working with farmers who voluntarily wish to place conservation easements on their land with fair compensation for such easements. This fee is collected by the City before the issuance of building permits and determined by the fee schedule in effect on the date the tentative map or parcel map application is deemed complete or the date a permit is issued. The agricultural mitigation fee schedule is established by Manteca Municipal Code Chapter 13.42, "Agricultural Mitigation Fee." The City will require this fee of the project applicant, as described in *Mitigation Measure AG-1: Pay Agricultural Mitigation Fee*. Implementation of the fee program will not, however, reduce the impact to a less-than-significant level. No other feasible mitigation is available to mitigate the direct conversion of Farmland of Statewide Importance to nonagricultural uses.

3. The alternative sites identified in the draft EIR would similarly lead to the conversion of farmland and result in the same level of impacts to farmland as the proposed project.
4. The project would have a significant and unavoidable impact on agricultural land. It would also make a significant contribution to the cumulative loss of agricultural land in the region. The cumulative impact is also significant and unavoidable.

Impact AQ-1: Generation of Emissions of Reactive Organic Gases and Oxides of Nitrogen in Excess of San Joaquin Valley Air Pollution Control District Thresholds

Findings: The City hereby makes finding (a)(1), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. Pursuant to *Mitigation Measure AQ-1a: Prepare and Implement a Dust Control Plan*, the City will require construction contractors to prepare a dust control plan and submit it to SJVAPCD at least 48 hours before any earthmoving or construction activities to control the generation of construction-related PM10 emissions.
2. Pursuant to *Mitigation Measure AQ-1b: Implement Measures to Reduce Construction Emissions*, the City will require construction contractors to implement measures to reduce construction-related emissions, such as limiting the hours of operation of heavy-duty equipment, shutting off heavy-duty equipment when not in use, and use of equipment fueled by alternative diesel fuel blends or ultra-low-sulfur diesel.
3. The project applicant will enter into a developer agreement with SJVAPCD and conduct an air impact assessment, as described in *Mitigation Measure AQ-1c: Implement Measures to Comply with SJVAPCD Rule 9510, Indirect Source Review*. Required emissions control measures and off-site emissions reduction fees (if necessary) will be calculated by the project applicant through the permitting process, as dictated by Rule 9510, to reduce construction-related NOx emissions by 20% and PM10 emissions by 45% compared with the statewide fleet average.
4. *Implementation of Mitigation Measure AQ-1d: Enter into a Development Mitigation Contract*, will require the project applicant to enter into a development mitigation contract with SJVAPCD to mitigate or reduce project emissions beyond the requirements of Rule 9510 through the payment of fees (on a per-ton basis) to SJVAPCD. Implementation of the Mitigation Measure AIR-1d may reduce the impact to a less-than-significant level, however, if this mitigation measure is not implemented, the remaining mitigation measures described above will reduce the impact, but not to a less-than-significant level as defined by CEQA.

5. *Mitigation Measure AQ-1e: Incorporate Additional Innovative Measures to Reduce Air Quality Impacts*, would require applicable measures to be incorporated into the design and operation of the proposed project to provide additional reductions in the overall level of emissions where feasible.
6. Implementation of mitigation measure AQ-1d, in addition to mitigation measures AQ-1a through AQ-1c, would reduce project construction emissions to a less-than-significant level.
7. Implementation of mitigation measure AQ-1d, in addition to mitigation measures AQ-1c and AQ-1e, would reduce project *operational* emissions to a less-than-significant level.

Impact AQ-5: Contribution to a Cumulative Increase in Greenhouse Gas Contaminant Emissions

Findings: The City hereby makes findings (a)(1) and (a)(3), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

8. As described in the draft EIR, the combined project operations would result in 10,479.88 tons per year of CO₂.
9. Because it is accepted that climate change due to greenhouse gas (GHG) emissions is occurring, and even small contributions may be cumulatively considerable given the seriousness of the problem, the project-related GHG emissions would result in a cumulatively significant contribution to climate change.
10. Even with the implementation of *Mitigation Measure CE-3: Implement City of Manteca General Plan Policies for Energy Conservation*, the proposed project's contribution to this cumulative impact is considered significant and unavoidable.

Impact BIO-1: Potential Introduction or Spread of Invasive Species

Findings: The City hereby makes finding (a)(1), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. Project construction activities could introduce or spread noxious weeds into currently uninfested areas. Plants or seeds may be dispersed via construction equipment, if the appropriate measures are not implemented.
2. Implementation of *Mitigation Measure BIO-1: Avoid the Dispersal of Noxious Weeds into Uninfested Areas* would reduce this potential impact to a less-than-significant level.

Impact BIO-2: Impacts on Nesting Swainson's Hawk and Non-Special-Status Migratory Birds

Findings: The City hereby makes finding (a)(1), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. Development of the project site could affect, either directly or through habitat modifications, Swainson's hawk (listed as threatened under the California Endangered Species Act) and non-special-status migratory birds and raptors. Tree removal, building demolition, grading, or other construction activities conducted during the nesting season (generally March 1 through August 15) could remove or cause abandonment of active nests of Swainson's hawk and other migratory birds and raptors, if they are found nesting on or adjacent to the project site.
2. Implementation of *Mitigation Measure BIO-2: Conduct Tree Removal and Barn Demolition Activities during Nonbreeding Season for Swainson's Hawk and Non-Special-Status Migratory Birds and Raptors, or Conduct Nesting Bird Survey Prior to Tree and Barn Removal Activities*, which is consistent with the San Joaquin County Multi Species Habitat Conservation and Open Space Plan (SJMSCP), would reduce this impact to a less-than-significant level.

Impact BIO-3: Loss of Swainson's Hawk Foraging Habitat

Findings: The City hereby makes finding (a)(1), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. The proposed project would result in the conversion of approximately 233 acres of agricultural habitat lands (orchard, bare/disked, and ruderal areas) to residential development. These lands provide suitable foraging habitat for Swainson's hawk.

2. Implementation of *Mitigation Measure BIO-3: Compensate for Loss of Foraging Habitat for Swainson's Hawk and Burrowing Owl as Outlined in the SJMSCP*, would fully mitigate for potential adverse impacts on Swainson's hawk foraging habitat and would reduce this potential impact to a less-than-significant level.

Impact BIO-4: Loss of Potential Foraging Habitat for Other Special-Status Birds

Findings: The City hereby makes finding (a)(1), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. The proposed project would result in the loss of potential foraging habitat for other special-status birds, including northern harrier, white-tailed kite, Cooper's hawk, and tricolored blackbird.
2. *Mitigation Measure BIO-3: Compensate for Loss of Foraging Habitat for Swainson's Hawk and Burrowing Owl as Outlined in the SJMSCP*, would mitigate for the loss of potential foraging habitat for these species, reducing this impact to a less-than-significant level.

Impact BIO-5: Impacts on Western Burrowing Owl

Findings: The City hereby makes finding (a)(1), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. Development of the project site could affect, either directly or through habitat modifications, the burrowing owl, a California Department of Fish and Game (CDFG) species of special concern. Grading or other construction activities during the nesting season (February 1 through August 31) could destroy or cause abandonment of active nests on or adjacent to the project site.
2. Although no burrowing owl signs (e.g., burrows, white wash, feathers, or pellets) were observed in the study area, this species could move onto the project site prior to construction of the proposed project. Impacts on this species are considered potentially significant.
3. Because suitable onsite burrowing owl habitat consists of mostly agricultural lands, compensation for the conversion of approximately 233 acres of agricultural habitat

lands to offset impacts on Swainson's hawk foraging habitat under the SJMSCP would also offset impacts on burrowing owl habitat.

4. Implementation of *Mitigation Measure BIO-3: Compensate for Loss of Foraging Habitat for Swainson's Hawk and Burrowing Owl as Outlined in the SJMSCP; Mitigation Measure BIO-5a: Conduct Preconstruction Survey and Adhere to CDFG Guidelines; and Mitigation Measure BIO-5b: Avoid and Minimize Impacts on Nesting Burrowing Owl*, would reduce this impact to a less-than-significant level.

Impact BIO-6: Impacts on Roosting Bats

Findings: The City hereby makes finding (a)(1), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. Development of the project site could affect, either directly or through habitat modification, bat roosts, which are considered a sensitive resource by CDFG.
2. Suitable habitat for roosting bats is present in the barn located on the project site. Removal of the barn could destroy or cause failure of active roosts. Although no bats or bat sign (i.e., insect parts, guano, or urine stains) were observed in the barn in 2005, bats could currently occupy the barn or move into the barn prior to project construction.
3. Implementation of *Mitigation Measures BIO-6: Conduct Preconstruction Survey and Remove Barn during Non-breeding Season*, would reduce this impact to a less-than-significant level.

Impact CR-1: Potential Destruction of Buried Archeological Resources

Findings: The City hereby makes finding (a)(1), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. No archaeological resources were identified as a result of this study, but it is still possible that significant buried archaeological materials are present on the project site. Disturbance or destruction of these resources may result from ground-disturbing activities associated with project construction.

2. Pursuant to *Mitigation Measure CR-1: Stop Work in Case of Accidental Discovery of Buried Archeological Resources*, if buried cultural resources, such as chipped or ground stone, historic debris, building foundations, or human bone, are inadvertently discovered during ground-disturbing activities, work will stop in that area and within 100 feet of the find until a qualified archaeologist can assess the significance of the find and, if necessary, develop appropriate treatment measures in consultation with the City and other appropriate agencies.
3. Implementation of Mitigation Measure CR-1 would reduce this impact to a less-than-significant level.

Impact CR-2: Destruction or Disturbance of Human Remains

Findings: The City hereby makes finding (a)(1), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. No known human remains are present at the project site. It is possible that buried human remains were not be located as a result of this study due to a lack of surficial evidence. As such, human remains, particularly those outside a designated cemetery, could be encountered during ground-disturbing activities associated with project construction.
2. Pursuant to *Mitigation Measure CR-2: Stop Work in Case of Accidental Discovery of Buried Human Remains*, if human remains of Native American origin are discovered during project construction, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of NAHC (Public Resources Code Section 5097).
3. Implementation of Mitigation Measure CR-2 would reduce this impact to a less-than-significant level.

Impact GEO-5: Contribution to Substantial Soil Erosion or Loss of Topsoil

Findings: The City hereby makes findings (a)(1), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. The proposed project would result in the direct conversion of 240 acres of farmland to nonagricultural uses. Because the project site is currently under cultivation and has

been cultivated for some time, the most apparent loss would be topsoil as an agricultural resource.

2. Depending on final project design, the project site's existing topsoil resource would be removed during project earthwork, although it may be redistributed on site. Removal of topsoil would represent a substantial loss of topsoil resources, a significant impact.
3. Pursuant to *Mitigation Measure GEO-5: Stockpile Excavated Topsoil for Onsite Reuse*, the project proponent will require the contractor(s) retained for project construction and landscaping to stockpile excavated topsoil so it can be reused for revegetation and landscaping.
4. The impact would be mitigated to the extent feasible by implementation of Mitigation Measure GEO-5, and any residual impact is considered less than significant.

Impact GEO-8: Damage to Paleontological Resources

Findings: The City hereby makes finding (a)(1), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. Much of the project area is underlain either immediately or at depth by sedimentary deposits assigned to the Modesto Formation of Late Pleistocene (Rancholabrean) age, which is likely underlain at greater depth by deposits of the Riverbank Formation of Late Pleistocene age.
2. Because both the Modesto and Riverbank Formations are known to contain vertebrate fossils, including remains of mammoth, bison, rodents, and reptiles, they are considered highly sensitive for paleontological resources.
3. Depending on final project design, earthwork required for project construction could impact the Modesto Formation; deeper earthwork could also impact the underlying Riverbank Formation. If disturbance of the Modesto Formation or Riverbank Formation is required, the potential for significant impacts on paleontological resources is considerable based on the identified sensitivity of these units.
4. Impacts on paleontological resources would be reduced to a less-than-significant level by implementation of *Mitigation Measure GEO-8a: Evaluate Site-Specific Impact Potential; Mitigation Measure GEO-8b: Conduct Preconstruction Survey, Salvage, and Protection in Areas of Exposed Pleistocene Substrate; Mitigation Measure GEO-8c: Retain a Qualified Professional Paleontologist to Monitor during Ground-*

Disturbing Activities; and Mitigation Measure GEO-8d: Stop Work if Vertebrate Remains are Encountered during Construction.

Impact HAZ-2: Potential Hazard to the Public or the Environment through the Routine Transport, Use, or Disposal of Hazardous Materials during Construction

Findings: The City hereby makes findings (a)(1) and (a)(2), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. Construction of the proposed project could expose construction workers, the public, or the environment to hazardous materials through their use or disposal. Clearing of the project site required for project construction would involve demolition of several structures; removal of existing refuse, debris, and soil piles; and removal of an irrigation pump, a PCC standpipe, six pole-mounted electrical transformers, and several domestic and agricultural water wells and septic systems. Additionally, grading and excavation associated with construction may result in the discovery of unmapped underground features.
2. This impact is potentially significant. However, due to the small quantities involved, the incorporation of the safety standards in *Mitigation Measure HAZ-2b: Properly Remove Hazardous Materials and Hazardous Material Containers from the Project Site; Mitigation Measure HAZ-2c: Prepare an Asbestos and Lead Paint Survey Report and Properly Dispose of Asbestos and Lead Paint by Certified Asbestos Abatement Contractor and Certified Lead Inspector/Assessor; Mitigation Measure HAZ-2d: Notify Contractors of Presence of Asbestos and Lead Paint; and Mitigation Measure HAZ-2e: Properly Abandon Septic Systems* would reduce this impact to a less-than-significant level.
3. Further, because the project site includes agricultural lands, hazardous levels of agricultural chemicals could be present on isolated portions of the site. A Phase II Limited Site Assessment (LSA) was prepared for the Pillsbury Estates site which concluded that further assessment of the site for organochlorine pesticides is not warranted. However, since such analysis has not been done for the Evans Estates site, implementation of *Mitigation Measure HAZ-2a: Screen Surface Soils on Evans Estates Site for Residuals from Agricultural Chemicals and Other Hazardous Materials* would help reduce this impact to a less-than-significant level.

Impact HAZ-3: Potential Hazard to the Public or the Environment through Upset or Accident Conditions

Findings: The City hereby makes finding (a)(1), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. Construction of the proposed project could expose construction workers, the public, or the environment to hazardous materials through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Accidental releases of small quantities of these substances could contaminate soils and degrade the quality of surface water and groundwater, resulting in a public safety hazard
2. Compliance with Cal-OSHA and federal standards for the storage and handling of fuels, flammable materials, and common construction-related hazardous materials, and for fire prevention and implementation of *Mitigation Measure HAZ-3: Develop and Implement Plans to Reduce Exposure to Hazardous Conditions* would reduce this impact to a less-than-significant level.
3. Further, implementation of *Mitigation Measure HYD-1a: Comply with NPDES Requirements* will reduce water quality impacts to a less-than-significant level.

Impact HYD-1: Impacts on Water Quality as a Result of Construction-Related Earth-Disturbing Activities

Findings: The City hereby makes finding (a)(1), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. Construction-related earth-disturbing activities during project construction would introduce the potential for increased erosion and sedimentation, with subsequent effects on water quality.
2. Implementation of *Mitigation Measure HYD-1a: Comply with NPDES Requirements* and *Mitigation Measure HYD-1b: Clean Paved Areas with Street Sweeping Equipment* would minimize the potential erosion- and sedimentation-related water quality impacts and would reduce this impact to a less-than-significant level.

Impact HYD-2: Water Quality Impacts as a Result of Construction-Related Hazardous Materials

Findings: The City hereby makes finding (a)(1), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. Construction equipment and activities associated with the proposed project would have the potential to leak hazardous materials, such as oil and gasoline, and potentially affect surface or groundwater quality. Improper use or accidental spills of fuels, oils, and other construction-related hazardous materials, such as pipe sealant, solvents, and paints, also could pose a threat to water quality.
2. Implementation of *Mitigation Measure HYD-2: Implement a Spill Prevention and Control Program* would reduce this impact to a less-than-significant level.

Impact HYD-3: Water Quality Impacts from Construction below the Water Table

Findings: The City hereby makes finding (a)(1), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. Because of the presence of shallow groundwater in the vicinity of the project site (approximately 10 to 20 feet below ground surface), trenching and excavation activities associated with project construction could expose the water table, immediately and directly exposing groundwater to potential contaminants.
2. Primary construction-related hazardous materials that could be discharged include oil and grease and construction-related hazardous materials. In addition, short-term water quality impacts are possible, such as local changes in turbidity and possibly changes in dissolved oxygen.
3. This impact would be significant, but implementation of *Mitigation Measure HYD-3: Implement Provisions for Dewatering*, as applicable, would reduce this impact to a less-than-significant level.

Impact HYD-4: Change in Drainage Patterns and Surface Runoff

Findings: The City hereby makes finding (a)(1), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. The proposed project, when complete, would result in new impervious surfaces and thus an incremental reduction in the amount of natural soil surfaces available for the infiltration of rainfall and runoff, potentially generating additional runoff during storm events.
2. The proposed project includes onsite drainage facilities to convey stormwater to an onsite detention basin, and an underground pipe to convey stormwater to the existing SSIID Storm Drain Conveyance System.
3. Pursuant to *Mitigation Measure HYD-4: Prepare a Master Drainage Plan*, the project proponent will develop and implement a master drainage plan, subject to prior City review and approval, prior to commencement of project construction. Implementation of Mitigation Measure HYD-4 would reduce potential impacts resulting from changes in drainage patterns and increased runoff from the proposed project to a less-than-significant level.

Impact HYD-5: Increased Amounts of Surface Runoff and Associated Impacts on Water Quality and Drainage Facilities during Operation

Findings: The City hereby makes finding (a)(1), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. The project facilities (e.g., homes, paved driveways, and roads) would involve a substantial amount of new impervious surface, which could increase the amount of surface runoff as well as convey non-point-source contaminants to surface waters via the City's municipal storm drains during storm events.
2. Pursuant to *Mitigation Measure HYD-5: Implement Best Management Practices to Maximize Stormwater Quality*, the project proponent will implement multiple best management practices (BMPs) in areas where runoff could drain to storm drainage systems or surface waters, to reduce or eliminate water quality effects from polluted runoff from the proposed project. The BMPs may include a combination of source control, structural elements, and treatment systems to ensure compliance with the applicable CWA regulations

3. Implementation of Mitigation Measure HYD-5 and its BMPs would reduce the impact to a less-than-significant level.

Impact HYD-8: Insufficiency of Water Supply

Findings: The City hereby makes finding (a)(1), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. The City prepared and adopted a WSA for the proposed project on March 3, 2008 which projected peak-hour water demand for the proposed project to be approximately 1,314 gallons per minute (gpm) or 658 afa per year.
2. The WSA concluded that existing water supply is insufficient to meet the project's demand, which will require the construction of a new well and expansion of the water distribution system.
3. Based on the WSA and a memorandum prepared by the City to further address water supply for the proposed project and to develop alternative methods of providing it adequate water supply dated January 6, 2009, *Mitigation Measure HYD-8: Impose Condition Requiring Water Supply Improvements Tied to Number of Building Permits* was developed to ensure that specific sources of water supply (i.e., the Well 26 storage tank and booster pump station or a new onsite well to be constructed on the project site) are constructed and operational prior to issuance of any building permit for any lot on the project site.
4. Implementation of Mitigation Measure HYD-8 would reduce the impact to a less-than-significant level.

Impact LU-3: Conflict with an Applicable Local Habitat Conservation Plan or Natural Community Conservation Plan

Findings: The City hereby makes finding (a)(1), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. The City is a signatory to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) and thereby are bound to carry out its provisions.

2. Implementation of Mitigation Measure BIO-3, which is consistent with the SJMSCP, would reduce any potential conflicts with the SJMSCP to less than significant levels.

Impact NOI-2: Exposure of Existing Noise-Sensitive Land Uses on Project Approach Roadways to Increased Traffic Noise

Findings: The City hereby makes findings (a)(1) and (a)(3), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. The predicted traffic noise levels along roadway segments approaching the project site, where future increases in traffic volumes are expected to result from implementation of the proposed project
2. Because noise increases along roadway segments approaching the project site are 10 dB or greater relative to existing conditions, this impact is considered significant.
3. Since driveway access to existing residences located along East Woodward Avenue must be maintained, construction of soundwalls along these roadways is not considered feasible. This impact is therefore considered significant and unavoidable.

Impact TRA-1: Degradation of Intersection Operations from Increased Traffic at Main Street/Woodward Avenue, Union Road/SR 120 WB Ramps, Union Road/SR 120 EB Ramps, Airport Way/SR 120 WB Ramps, Airport Way/SR 120 EB Ramps, and Main Street/Yosemite Avenue

Findings: The City hereby makes finding (a)(1), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. The project-related impacts under existing conditions would result in degradation and significant impacts at the intersections at Main Street/Woodward Avenue, Union Road/SR 120 WB Ramps, Union Road/SR 120 EB Ramps, Airport Way/SR 120 WB Ramps, Airport Way/SR 120 EB Ramps, and Main Street/Yosemite Avenue.
2. Pursuant to Mitigation Measure TRA-1a, TRA-1b, TRA-1c, and TRA-1d, a traffic signal will be installed at the following intersections: Main Street/Woodward Avenue, Union Road/SR 120 WB Ramps, Union Road/SR 120 EB Ramps, Airport Way/SR 120 WB Ramps, Airport Way/SR 120 EB Ramps.

3. In addition, the following turning lanes will be installed: a westbound right-turn lane at Union Road/SR 120 WB Ramps (Mitigation Measure TRA-1b); an eastbound right-turn lane at Union Road/SR 120 EB Ramps (Mitigation Measure TRA-1c); a westbound right-turn lane at Airport Way/SR 120 WB Ramps (Mitigation Measure TRA-1d); and an eastbound right-turn lane at Airport Way/SR 120 EB Ramps (Mitigation Measure TRA-1b).
4. Adding a second SB through lane would reduce the project impact at the Main Street/Yosemite Avenue intersection to a less-than-significant level by reducing the overall average intersection delay. However, the additional SB through lane would require the removal of on-street parking and landscaping improvements on Main Street north of Yosemite Avenue. Considering the limited parking supply within downtown Manteca, this improvement is deemed to be infeasible.
5. Pursuant to Mitigation Measure TRA-1f, one of the following two mitigation measures would reduce the significance of the project-related impact at the Main Street/Yosemite Avenue intersection to a less-than-significant level. The two mitigation options include amending the City General Plan to exempt this intersection from the City LOS standard (i.e., to acknowledge that the degraded peak-hour intersection operations are acceptable in order to protect the historic buildings, maintain on-street parking, and keep the area pedestrian-scaled by minimizing street crossing distances), or retiming the traffic signals at this intersection (i.e., reducing the overall delay to or less than the Existing No-Project Condition). While the intersection still operates at an unacceptable LOS E, the incremental project impact is mitigated.

Impact TRA-2: Increased Demand for Bicycle Travel

Findings: The City hereby makes finding (a)(1), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. The new homes to be constructed as part of the proposed project would increase demand for bicycle travel. However, no bicycle facilities are included under the proposed project.
2. Pursuant to *Mitigation Measure TRA-2: Construct Class II Bicycle Lanes on Selected Streets*, the Evans Estates proponent will construct Class II bicycle lanes along the project site's Manteca Road frontage, and the Pillsbury Estates proponent will construct Class II bicycle lanes along Buena Vista Drive through the project site, in order to connect the project site to the existing and planned bicycle facilities to the north. In addition, the Pillsbury Estates proponent will coordinate with the City to

ensure that Class II bike lanes are striped on Buena Vista Drive between Tannehill Drive and the northern border of the project site.

3. Implementation of this Mitigation Measure TRA-2 will reduce this impact to a less-than-significant level.

Impact TRA-4: Impacts on the Transit System

Findings: The City hereby makes findings (a)(1) and (a)(3), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. The development of new homes will create a demand for new transit trips; however, since there are no existing or planned transit services that serve the area, this impact is considered significant.
2. Pursuant to *Mitigation Measure TRA-4: Coordinate with City and Manteca Transit to Facilitate Future Transit Service in the Area*, the project proponents will coordinate with the City and Manteca Transit regarding the construction of transit facilities to serve the project site. Example transit facilities would include bus turnouts on Manteca Road/Main Street, McKinley Avenue, or Pillsbury Road; benches; or shelters.
3. While these improvements will facilitate future transit service, they will not guarantee that transit demands generated by the proposed project are satisfied. Therefore, this impact remains significant and unavoidable.

Impact TRA-5a: Degradation of Roadway Segment Operations from Increased Traffic at Main Street, Between SR 120 WB Ramps and SR 120 EB Ramps, Between SR 120 and Atherton Drive, and between Atherton Drive and Woodward Avenue; Union Road, between SR 120 WB Ramps and SR 120 EB Ramps, between SR 120 and Atherton Drive, and between Atherton Drive and Woodward Avenue; and Woodward Avenue, between Union Road and Main Street

Findings: The City hereby makes finding (a)(1), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. The proposed project would cause significant degradation to roadway facilities that do not meet the City's LOS standard as a result of project traffic.
2. Pursuant to Mitigation Measures TRA-5a, TRA-5b, TRA-5c, TRA-5d, and TRA-5e, degradation of roadway segment operations from project traffic would be reduced to a less-than-significant impact by requiring the project proponent to pay fair-share contributions towards construction of new roadway facilities.
3. As described in Mitigation Measures TRA-5a, TRA-5b, TRA-5c, TRA-5d, and TRA-5e, full funding of these interchange improvement are dependent on the adoption of the updated PFIP by the City Council. Since the PFIP update has not yet been adopted, project impacts could be mitigated as follows:
 - a. The project proponent will pay the PFIP fee in place at time of building permit issuance.
 - b. If the PFIP fee in place at time of building permit issuance is known by the City to not fully fund the cost of the interchange improvements, the project proponent will also pay its fair-share of the unfunded portion of the interchange improvements at the time of building permit issuance.
4. By completing the mitigations described above, the proposed project will be contributing its fair-share toward reducing the project's contribution to the cumulative impact at these locations to a less than considerable amount.

Impact TRA-5b: Degradation of Roadway Segment Operations from Increased Traffic at Moffat Boulevard, Between SR 99 SB Off-Ramp and Austin Road, and Austin Road, Between SR 99 NB Ramps and Moffat Boulevard

Findings: The City hereby makes findings (a)(1) and (a)(3), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. The proposed project would cause significant degradation to roadway segment operations at Moffat Boulevard, between SR 99 SB off-ramp and Austin Road, and at Austin Road, between SR 99 NB ramps and Moffat Boulevard, from increased project traffic.
2. By widening Moffat Boulevard between Woodward Avenue and Austin Road to four lanes, the project impact would be reduced to a less-than-significant level when measured against the City's roadway segment LOS thresholds. However, because of the closely spaced SR 99 SB off-ramp and Austin Road intersections, roadway segment operations at this location will be dominated by intersection operations. The

antiquated design of the current SR 99/Austin Road interchange is inadequate to serve traffic demand under cumulative conditions. Minor ramp widening, intersection widening, and signalization can improve conditions over the existing geometries but they will not reduce the significance of the project impacts.

3. Further, degradation to roadway segment at Austin Road between SR 99 NB ramps and Moffat Boulevard as a result of the project would result in a significant impact.
4. Pursuant to Mitigation Measure TRA-5f: Moffat Boulevard between Woodward Avenue and Austin Road—Pay Fair-Share Contribution to Reconstruct the SR 99/Austin Road Interchange, which includes constructing the new SR 99/Austin Road interchange to be funded in one of the following ways:
 - a. The project proponent will pay the PFIP fee in place at time of building permit issuance.
 - b. If the PFIP fee in place at time of building permit issuance is known by the City to not fully fund the cost of the interchange improvements, the project proponent will also pay its fair-share of the unfunded portion of the interchange improvements at the time of building permit issuance.
5. The most recent cost estimate for the SR 99/Austin Road interchange was \$144 million. Due to the high cost of this improvement, the City is debating whether to include the full cost of this interchange in the updated PFIP fee. Given the uncertainty of funding at this location, a fair-share payment that is beyond the adopted PFIP fee is likely financially infeasible. Therefore, this impact is significant and unavoidable.

Impact TRA-6a: Degradation of Intersection Operations from Increased Project Traffic at Main Street/SR 120 WB Ramps, Main Street/SR 120 EB Ramps, Main Street/Atherton Drive, Main Street/Woodward Avenue, Union Road/SR 120 WB Ramps, Union Road/SR 120 EB Ramps, Union Road/Atherton Drive, Union Road/Woodward Avenue, Airport Way/Daniels Street, Airport Way/SR 120 WB Ramps, Airport Way/SR 120 EB Ramps, Airport Way/Atherton Drive, Airport Way/Woodward Avenue, and Woodward Avenue/Van Ryn Avenue

Findings: The City hereby makes finding (a)(1), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. The proposed project would result in degradation of intersection operations at the following intersections: Main Street/SR 120 WB Ramps, Main Street/SR 120 EB Ramps, Main Street/Atherton Drive, Main Street/Woodward Avenue, Union Road/SR 120 WB Ramps, Union Road/SR 120 EB Ramps, Union Road/Atherton Drive, Union Road/Woodward Avenue, Airport Way/Daniels Street, Airport Way/SR 120 WB Ramps, Airport Way/SR 120 EB Ramps, Airport Way/Atherton Drive, Airport Way/Woodward Avenue, and Woodward Avenue/Moffat Boulevard.
2. Implementation of Mitigation Measure TRA-5a, under which the project proponent will pay its fair-share to construct a new interchange at SR 120 and Main Street, will provide LOS D or better AM and PM peak-hour operations at the ramp terminal intersections at Main Street/SR 120 WB ramps and Main Street/SR 120 EB ramps.
3. In conjunction with the Main Street widening, pursuant to Mitigation Measure TRA-5b, implementation of Mitigation Measure TRA-6a would reduce the project impact to the Main Street/Atherton Drive intersection a less-than-significant level by requiring the project proponent will pay a fair-share contribution for the widening and intersection improvements.
4. In conjunction with the Main Street widening, pursuant to Mitigation Measure TRA-5b, implementation of Mitigation Measure TRA-6b would reduce the project impact to the Main Street/Woodward Avenue intersection a less-than-significant level by requiring the project proponent will pay a fair-share contribution for the widening and intersection improvements.
5. With implementation of Mitigation Measure TRA-5c, the project proponent would pay its fair-share to construct a new interchange at SR 120 and Union Road. This mitigation measure would provide LOS D or better AM and PM peak-hour operations at the ramp terminal intersections at Union Road/SR 120 WB ramps and at Union Road/SR 120 EB ramps, and reduce impacts to these intersections to a less-than-significant level.
6. Implementation of Mitigation Measures TRA-5c, TRA-5d, and TRA-6c will improve the intersection operations at Union Road/Atherton Drive during the AM and PM peak hours, reducing the impact to a less-than-significant level.
7. The widening projects included in Mitigation Measures TRA-5d and TRA-5e will increase capacity at this intersection, which will reduce project impact at this location. However, in conjunction with the Union Road and Woodward Avenue widening, Mitigation Measure 6c would require additional intersection improvements from the PFIP project list (i.e., signalize intersection, construct second NB and EB through lane, and construct dual left-turn lanes and right-turn lanes on all approaches) to be included in order to reduce the impact to a less-than-significant level. With implementation of TRA-5d, TRA-5e, and TRA-6c, the project proponent will be contributing its fair-share toward mitigating the project's cumulative impact at this location, and the impact would be reduced to a less-than-significant level.

8. Poor operations at the Airport Way/Daniels Street intersection are related to queues spilling back from the Airport Way/SR 120 interchange. Therefore, by improving interchange operations pursuant to Mitigation Measure TRA-6d, the project proponent will be contributing its fair-share toward mitigating the project's cumulative impact at this location. Therefore, this impact is considered less than significant with mitigation.
9. The proposed project would result in degradation of intersection operations at Airport Way/Atherton Drive. Pursuant to Mitigation Measure TRA-6e, the project proponent will be contributing its fair-share toward mitigating the project's cumulative impact at this location. Therefore, this impact is considered less than significant with mitigation.
10. The proposed project would result in degradation of intersection operations at Airport Way/Woodward Avenue. Pursuant to Mitigation Measure TRA-6f, the project proponent will be contributing its fair-share toward mitigating the project's cumulative impact at this location. Therefore, this impact is considered less than significant with mitigation.
11. The proposed project would result in degradation of intersection operations at Airport Way/Woodward Avenue. Pursuant to Mitigation Measure TRA-6f, the project proponent will be contributing its fair-share toward mitigating the project's cumulative impact at this location. Therefore, this impact is considered less than significant with mitigation.
12. The proposed project would result in degradation of intersection operations at Woodward Avenue/Van Ryn Avenue. Pursuant to Mitigation Measure TRA-6i, the project proponent will be contributing its fair-share toward mitigating the project's cumulative impact at this location. Therefore, this impact is considered less than significant with mitigation.

Impact TRA-6b: Degradation of Intersection Operations from Increased Traffic at Woodward Avenue/Moffat Boulevard, Moffat Boulevard/ SR 99 SB Off-Ramp, Moffat Boulevard/Austin Road/SR 99 SB On-Ramps, Austin Road/SR 99 NB Ramps, and Main Street/Yosemite Avenue

Findings: The City hereby makes findings (a)(1) and (a)(3), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. The proposed project would result in degradation of intersection operations at Woodward Avenue/Moffat Boulevard. Mitigation Measure TRA-6g would require signalization of the intersection and coordination of the signal with the UPRR

- crossing arms, and construction of a separate NB left-turn lane. Pursuant to Mitigation Measure TRA-6g, the project proponent will pay a fair-share contribution to implement these improvements. While the improvements will provide adequate operations under Cumulative Plus Project Conditions, it is unknown if UPRR or the California Public Utilities Commission will allow the interconnection of the traffic signal and railroad crossing arms. Therefore, this impact is considered significant and unavoidable.
2. Minor ramp and intersection widening cannot reduce the significance of the project impacts at the Austin Road/Moffat Boulevard/SR 99 interchange. Based on the preliminary results of the Austin Road/SR 99 interchange PSR, no long-term improvements are feasible at the current Austin Road interchange because of the proximity to the SR99/SR120 interchange.
 3. Reconstruction of the Austin Road/SR 99 interchange south of its current location (Mitigation Measure TRA-5f), would reduce the significance of the project impacts at Moffat Boulevard/SR 99 SB off-ramp, Austin Road/Moffat Boulevard/SR 99 on-ramps, and Austin Road/SR 99 NB ramps by removing this intersection. However, as described previously, it is unknown if the new interchange will be constructed because of financial constraints. Therefore, this impact is considered significant and unavoidable.
 4. The PFIP project list does not contain any improvements for the Main Street/Yosemite Avenue intersection because of limited right-of-way and the desire to maintain the character of Downtown Manteca. Without improvements to this intersection, the addition of project traffic would exacerbate unacceptable LOS under Cumulative No-Project Conditions. Pursuant to Mitigation Measure TRA-6h, the City would amend its General Plan to exempt the Main Street/Yosemite Avenue intersection from the City's LOS standards. Exempting this intersection from LOS standards would not improve operations at this location, but it would acknowledge that the City is willing to accept unacceptable vehicle operations during the AM and PM peak hours to preserve the pedestrian-oriented and historic character of Downtown Manteca. This impact is considered significant and unavoidable.

Impact TRA-7: Degradation of Freeway Mainline Operations from Increased Traffic at SR 120 EB from Yosemite Avenue to Airport Way, Airport Way to Union Road, Union Road to Main Street, and Main Street to SR 99; SR 120 WB from SR 99 to Main Street, Main Street to Union Road, Union Road to Airport Way, Airport Way to Yosemite Avenue; SR 99 NB from Jack Tone Road to Austin Road, Austin Road to SR 120 (Weaving Section), and SR 120 to Yosemite Avenue (Weaving Section); and SR 99 SB from Yosemite Avenue to SR 120 (Weaving Section), SR 120 to Austin Road, and Austin Road to Jack Tone Road

Findings: The City hereby makes finding (a)(2) and (a)(3), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. The proposed project would cause significant impacts at the majority of study freeway facilities. While the project-generated traffic is relatively low in relation to the Cumulative No-Project Conditions traffic volumes, the addition of this traffic exacerbates unacceptable LOS in the AM and/or PM peak hours, which leads to a significant impact.
2. The cumulative conditions analysis assumed that the SR 120 (between I-5 and SR 99) and SR 99 (between SR 4 and SR 120) widening projects were completed. These improvements are partially paid for with SJCOG regional transportation impact fees, which the project proponent will pay as part of the development process. Without these assumed improvements, freeway operations would be even worse than what was described previously.
3. Caltrans currently does not have any plans for further widening of SR 99 or SR 120. However, if each of the freeway segments were widened an additional lane, the project-related impact would be mitigated to a less-than-significant level. Without any plans to widen the freeway mainline segments, the impacts identified above are considered significant and unavoidable.

Impact TRA-8: Degradation of Freeway Mainline Operations from Increased Traffic at SR 120 EB from Yosemite Avenue to Airport Way, Airport Way to Union Road, Union Road to Main Street, and Main Street to SR 99; SR 120 WB from SR 99 to Main Street, Main Street to Union Road, Union Road to Airport Way, Airport Way to Yosemite Avenue; SR 99 NB from Jack Tone Road to Austin Road, Austin Road to SR 120 (Weaving Section), and SR 120 to Yosemite Avenue (Weaving Section); and SR 99 SB from Yosemite Avenue to SR 120 (Weaving Section), SR 120 to Austin Road, and Austin Road to Jack Tone Road

Findings: The City hereby makes finding (a)(1) and (a)(3), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. The proposed improvements at the Main Street/SR 120 and Union Road/SR 120 interchanges would improve ramp terminal intersection operations by adding additional turn lanes. As part of these interchange improvements, auxiliary lanes are also being considered on SR 120 WB between Main Street and Union Road, but it is currently unknown if an auxiliary lane would be constructed on SR 120 EB between Main Street and the SR 99 interchange. With the addition of these auxiliary lanes, the projects' impacts to Main Street/SR 120 ramp junctions would be reduced to a less-than-significant level because the additional capacity created by the auxiliary lane would be greater than the additional traffic generated by the projects. Implementation of Mitigation Measures TRA-5a and TRA-5c, which identified fair-share payments to improve the interchanges, would reduce this impact. However, since it is unknown if all the auxiliary lanes will be built, the Main Street/SR 120 ramp junction impact would remain significant and unavoidable.
2. Implementation of Mitigation Measure TRA-5f would reduce impacts at Austin Road/SR 99 ramp junctions to a less-than-significant level. The final design for the Austin Road/SR 99 interchange is still being developed as part of the PSR process, but it is likely that auxiliary lanes will be constructed when the interchange is relocated. However, as described in the discussion of Impact TRA-5b above, implementation of Mitigation Measure TRA-5f is considered infeasible because of financial constraints. Therefore, the impacts at the Austin Road/SR 99 ramp junctions are considered significant and unavoidable.

Impact USS-8: Temporary, Planned, or Accidental Construction-Related Disruptions to Utility Services

Findings: The City hereby makes finding (a)(1), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. Utility services could be disrupted as a result of project construction. In most cases, impacts on utilities and services involve temporary disruptions that would not exceed 1 day. All utility lines and cables that would be disrupted during project construction would be identified during the project design phase.
2. Pursuant to *Mitigation Measure USS-8: Identify and Relocate Existing Utilities Where Necessary*, project design and specifications will identify all underground utilities in the areas of proposed excavations, and the Underground Service Alert will be contacted to identify underground utilities. Disruptions to major utility lines, such as natural-gas or sewer lines, would be considered significant. However, implementation of Mitigation Measure USS-8 would reduce this impact to a less-than-significant level.

Impact CE-1: Cumulative Loss of Agricultural Lands

Findings: The City hereby makes findings (a)(1) and (a)(3), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. The proposed project would irreversibly convert 240 acres of Farmland of Statewide Importance to nonagricultural uses. This conversion would contribute to the cumulative loss of farmland in the area and throughout the Central Valley, a significant impact.
2. Conversion of the project site would also result in increased conflicts between agricultural and urban uses, as well as a reduction in agricultural support services, resulting in pressures for other agricultural lands to be removed from farming. This would be considered a significant cumulative impact.
3. Pursuant to *Mitigation Measure AG-1a: Pay Agricultural Mitigation Fee*, the project proponent would be required to pay the agricultural mitigation fee prior to the issuance of building permits as required by Manteca Municipal Code Chapter 13.42, which would reduce this impact, but not to a less-than-significant level. The proposed project's contribution to this cumulative impact is considered significant and unavoidable.

Impact CE-2: Cumulative Effect on Air Quality

Findings: The City hereby makes finding (a)(1), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. Temporary increases in construction-related emissions during construction activities and operational emissions from the proposed land uses and increased traffic volumes contribute to cumulative impacts in the vicinity of the project site.
2. However, cumulative impacts are considered less than significant with compliance with SJVAPCD Rule 9510. Specifically, Mitigation Measure AIR-1e requires incorporation of innovative measures into the design and operation of the proposed project in order to provide additional reductions in the overall level of emissions, which would will help achieve the emissions reductions required by Rule 9510. In addition, implementation of Mitigation Measure AIR-1c would require the project proponent to enter into a developer agreement with SJVAPCD and conduct an air impact assessment, and Mitigation Measure AIR-1d would require the project proponent to enter into a development mitigation contract with SJVAPCD to mitigate or reduce project emissions beyond the requirements of Rule 9510 through the payment of fees (on a per-ton basis) to SJVAPCD. Cumulative impacts are considered less than significant with compliance with SJVAPCD Rule 9510.

Impact CE-3: Cumulative Increase in Greenhouse Gas Contaminant Emissions

Findings: The City hereby makes findings (a)(1) and (a)(3), as stated in State CEQA Guidelines Section 15091 and as required by Public Resources Code Section 21081, with respect to the above-identified effect.

Facts Supporting the Finding:

1. Project operations would result in 10,479.88 tons per year of CO₂.
2. Because it is accepted that climate change due to GHGs is occurring, and even small contributions may be cumulatively considerable given the seriousness of the problem, the proposed project would constitute a cumulatively significant contribution to GHG emissions.
3. Pursuant to *Mitigation Measure CE-3: Implement City of Manteca General Plan Policies for Energy Conservation*, City General Plan goals and policies to reduce energy-related impacts associated with climate change would be implemented to to reduce emissions of GHGs; however, the residual level of cumulative impacts associated with the proposed project would remain significant.

4. Even with the implementation of *Mitigation Measure CE-3: Implement City of Manteca General Plan Policies for Energy Conservation*, the proposed project's contribution to this cumulative impact is considered significant and unavoidable.

Project Alternatives—Findings of Infeasibility

CEQA does not require that an EIR determine the ultimate feasibility of a selected alternative, but rather that it is probably feasible. Accordingly, no economic studies have been prepared regarding the economic feasibility of the selected alternatives. As a point of reference, Section 15364 of the State CEQA Guidelines defines “feasibility” as follows:

“‘Feasible’ means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.”

The final EIR for the Evans Estates-Pillsbury Estates Project examined five build alternatives. Three alternatives were considered but rejected, including alternative site, reduced density, and reduced footprint alternatives. These rejected alternatives were determined to be infeasible and would not substantially lessen impacts of the proposed project, as described below.

Alternative 1: Alternative Site

Alternative 1 focuses on alternative sites for development of the proposed project within the City's Primary Urban Service Boundary and consistent with the City's General Plan. However, little undeveloped land is available for housing development within the existing city limits. The Housing Element identifies an opportunity for development on infill housing on sites designated for Commercial Mixed Use Development. These sites are small and designated for the development of high-density housing. No infill sites are available for development of a single-family housing project in the range of units meeting the objectives of the proposed project.

For these reasons, no alternative site is available for development of the proposed project that would result in a substantial reduction of the environmental impacts identified in the impact analysis in this document. This alternative is infeasible.

Alternative 2: Reduced Density

Alternative 2 was also determined to be infeasible because it would require the number of new residential units to be reduced substantially to effect the required roadway improvements (i.e., would not substantially reduce the traffic impacts to a less-than-significant level). This level of reduction in housing units would make the project infeasible.

Alternative 3: Reduced Footprint

Under Alternative 3, a reduced project footprint would decrease the acres of Farmland of Statewide Importance lands converted to other nonagricultural uses. However, reduction of the footprint to a size that would significantly reduce conversion of farmlands would likely make the project infeasible.

The following alternatives, Alternatives 4, 5, and 6, were carried forward for consideration in the Draft EIR.

Alternative 4: Commercial Mixed Use Alternative

Alternative 4 would result in greater intensity of use than the proposed project. This alternative meets the project goal of providing housing to accommodate growth in Manteca while conforming to the City General Plan Housing Element. Design changes associated with mixed-use development would improve traffic circulation thus reducing traffic impacts immediately adjacent to the project site. However, it is unlikely that all traffic impacts would be reduced to a less-than-significant level. Additionally, traffic impacts associated with local freeway mainline segments and ramps would not be reduced. Furthermore, the mixed-use nature of this alternative would require careful site planning and design to avoid impacts associated with locating incompatible uses (e.g., commercial or retail) adjacent to the existing single-family subdivisions located immediately north of the project site. Alternative 4 would not substantially lessen impacts associated with the proposed project.

Alternative 5: Alternative Tentative Map for Evans Estates and Pillsbury Estates

Under Alternative 5, single-family housing units would be constructed at about 2.1 units per acre (the minimum density allowed under the LDR designation), resulting in approximately 500 single-family homes. At this reduced density, all impacts would generally remain the same as for the proposed project, except that the configuration could reduce impacts related to the anticipated LOS or trips generated.

Although this alternative would still meet the project objective to provide additional residential opportunities for the expanding population of the City, it could result in conflicts with City General Plan goals and policies related to compact development. As provided in the City General Plan, the City supports the existing level of agricultural production by directing development in a compact, concentric form to reduce the demand for new development areas. Specifically, the Community Design Element addresses the community form and quality of the built environment, and includes Goal CD-1 to “[r]etain the compact and cohesive community form of the City.” Building fewer housing units at the project site could necessitate the City to seek development opportunities to meet its housing goals; it is very likely that these areas would be in agricultural use and not located within the City’s SOI.

Alternative 5 would result in potential conflicts with City General Plan goals and policies related to community design, land use, and agricultural resources. Because Alternative 5 would develop fewer housing units on the same footprint as the proposed project, it could also result in impacts related to sprawl and additional cumulative impacts to agricultural lands if it causes the City to seek other developable lands in and around the City and the County to meet its housing goals.

Alternative 6: No-Project Alternative (No Development)

Under this alternative, the proposed project would not be constructed and no construction activities would occur at the project site. No project-generated traffic would be added to area roadways, and no new air pollutant emissions or noise would be generated from the site. There would be no changes to the existing hydrology or water quality. This alternative would not be consistent with the goals of the General Plan 2023 or the project objectives to provide additional housing for an expanding population in Manteca and accommodate the growing community.

Statement Of Overriding Considerations

The City of Manteca recognizes that the project would have several significant, unavoidable impacts on the environment. These are:

- **Impact AG-1:** Direct Conversion of Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Other Farmland to Nonagricultural Use
- **Impact AIR-5:** Contribute to Cumulative Increase in Greenhouse Gas Contaminant Emissions
- **Impact NOI-2:** Exposure of Existing Noise-Sensitive Land Uses on Project Approach Roadways to Increased Traffic Noise
- **Impact TRA-4:** Impacts on the Transit System
- **Impact TRA-5b:** Degradation of Roadway Segment Operations from Increased Traffic at Moffat Boulevard, Between SR 99 SB Off Ramp and Austin Road, and Austin Road, Between SR 99 NB Ramps and Moffat Boulevard
- **Impact TRA-6b:** Degradation of Intersection Operations from Increased Traffic at Woodward Avenue/Moffat Boulevard, Moffat Boulevard/SR 99 SB Off-Ramp, Moffat Boulevard/Austin Road/SR 99 SB On Ramps, Austin Road/SR 99 NB Ramps, and Main Street/Yosemite Avenue
- **Impact TRA-7:** Degradation of Freeway Mainline Operations from Increased Traffic at SR 120 EB from Yosemite Avenue to Airport Way, Airport Way to Union Road, Union Road to Main Street, and Main Street to SR 99; SR 120 WB from SR 99 to

Main Street, Main Street to Union Road, Union Road to Airport Way, Airport Way to Yosemite Avenue; SR 99 NB from Jack Tone Road to Austin Road, Austin Road to SR 120 (Weaving Section), and SR 120 to Yosemite Avenue (Weaving Section); and SR 99 SB from Yosemite Avenue to SR 120 (Weaving Section), SR 120 to Austin Road, and Austin Road to Jack Tone Road

- **Impact TRA-8:** Degradation of Freeway Ramp Junction Operations from Increased Traffic at SR 120 EB (Main Street Off-Ramp and Main Street On-Ramp); SR 120 WB (Main Street Off-Ramp and Main Street On-Ramp); SR 99 NB (Austin Road Off-Ramp and Austin Road On-Ramp); and SR 99 SB (Austin Road/Moffat Boulevard Off-Ramp and Austin Road/Moffat Boulevard On-Ramp)
- **Impact CE-1:** Cumulative Loss of Agricultural Lands
- **Impact CE-3:** Cumulative Increase in Greenhouse Gas Contaminant Emissions

These impacts are outweighed by the benefits offered by the proposed project. The following specific benefits would be provided by the project:

1. The project will provide additional residential opportunities for the expanding population of the City of Manteca within the City's Primary Urban Service Boundary, in implementation of the Manteca General Plan.
2. The project will provide supporting infrastructure and support public services for the residents of the Evan Estates and Pillsbury Estates subdivisions, as well as residual benefits to citywide residents.
3. The project will support orderly growth and development of Manteca, in implementation of its General Plan, by developing immediately south of existing residential subdivisions within the City's Primary Urban Service Boundary.
4. The project will support alternative modes of transportation through implementation of mitigation measures to construct bicycle lanes and to facilitate future transit service in the project area, a benefit to both residents of the Evans Estates and Pillsbury Estates subdivisions and nearby neighborhoods.
5. The project will support the Manteca General Plan policies for energy conservation by encouraging the incorporation of energy-conserving features into the design and operation of the project.