

# 1 INTRODUCTION

## 1.1 PURPOSE OF THE EIR

The City of Manteca has prepared this draft environmental impact report (Draft EIR) to disclose the potential environmental effects of the proposed Stadium Center Phase III project (project). This Draft EIR was prepared in compliance with the California Environmental Quality Act (CEQA) of 1970 (as amended through Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations Section 15000 et seq.). An EIR is a full disclosure, public information document in which the significant environmental impacts of a project are evaluated, feasible measures to mitigate significant impacts are identified, and alternatives to the project that can reduce or avoid significant environmental effects are considered.

An EIR is an informational document used in the planning and decision-making process by the lead agency and responsible and trustee agencies. The lead agency is the public agency with primary responsibility over the project. In accordance with State 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.” In the case of the proposed project, the lead agency is the City of Manteca, who will be responsible for overall approval.

The purpose of an EIR is not to recommend either approval or denial of a project. CEQA requires decision-makers to balance the benefits of a project against its unavoidable environmental effects in deciding whether to carry out a project. The lead agency will consider the Draft EIR, comments received on the Draft EIR, and responses to those comments before making a decision. If environmental impacts are identified as significant and unavoidable, the lead agency may still approve the project if it determines that the social, economic, or other benefits outweigh the unavoidable impacts. The lead agency would then be required to prepare “Findings” and a “Statement of Overriding Considerations” that discuss the specific reasons for approving the project, based on information in the Draft EIR and other information in the record.

## 1.2 SCOPE OF THE EIR

Pursuant to Section 15143 of the State CEQA Guidelines, a lead agency may limit the EIR’s discussion of environmental effects to specific issues where significant effects on the environment may occur. The City of Manteca used a variety of information to determine which issue areas would result in potentially significant or significant effects on the environment. This information included field surveys of the project site, review of project characteristics, comments from public and agency consultation, and comments received on the Notice of Preparation (NOP). An NOP was circulated to public agencies and the public on January 5, 2007, for a 30-day review period. A public scoping meeting was held on January 24, 2007 at 3 p.m. in the Manteca City Council Chambers. Comments received on the NOP are included in Appendix A. Since publication of the NOP, the applicant decided to alter the layout of the western portion of the project site. The site now includes approximately 32,000 square feet of retail space in three rather than four buildings, including a 13,000 square-foot building, a 14,820 square-foot building, and a separate 4,000 square-foot building. Other changes include minor site design modifications to allow for improved site access and on-site traffic circulation.

Based on the NOP, public comments on the NOP, and preliminary analysis, the project would have less-than-significant impacts on mineral resources, recreation, paleontological resources, and population and housing as discussed below. These issues will not be evaluated further in this Draft EIR.

## **1.3 EFFECTS FOUND NOT TO BE SIGNIFICANT**

This section contains a discussion of the environmental effects found not to be significant pursuant to the State CEQA Guidelines Section 15128, which provides that “[a]n EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR.”

The following effects on mineral resources, recreation, paleontological resources, and population and housing were found not to be significant and are not included in the detailed analysis of potential project impacts.

### **1.3.1 MINERAL RESOURCES**

The project site is not located in an area of known mineral resources, nor are any expected to be encountered during project development (City of Manteca 2003). As such, no impacts related to mineral resources are anticipated and they are not evaluated further in this Draft EIR.

### **1.3.2 RECREATION**

The project is a commercial development and does not include development of new housing. Because there would not be any additional residents generated by the proposed project, the project would not increase demands for parks or other recreational facilities and would not result in accelerated physical deterioration of existing recreational facilities. The project would not result in the need for new or expanded recreational facilities and no impacts to these facilities would occur. Therefore, recreational impacts of the project are not evaluated further in this Draft EIR.

### **1.3.3 PALEONTOLOGICAL RESOURCES**

Geologic mapping in the project area indicates that the proposed project site is underlain by Holocene-age (10,000 years before present or younger) dune sand deposits (Wagner et al. 1991, Kleinfelder 2005). In order to be considered a fossil, a specimen must be more than 10,000 years old. Therefore, project-related activities in these dune sand deposits would have no impact on paleontological resources, and related impacts are not evaluated further in this Draft EIR.

### **1.3.4 POPULATION AND HOUSING**

The proposed project involves development of a commercial center that would accommodate a Lowe’s Home Improvement Warehouse and approximately 32,000 square feet of retail space in three separate buildings. No housing is currently located at the proposed project site, and the proposed project does not involve construction of any new residential housing. Furthermore, the project would not induce substantial population growth to the area, either directly or indirectly, because the Lowe’s Home Improvement Warehouse and the retail shops would require only a relatively small number of employees, the majority of whom would be existing area residents (see Section 6.2, “Growth-Inducing Impacts”). Therefore, population and housing impacts of the project are not evaluated further in this Draft EIR.

## **1.4 LEAD, RESPONSIBLE, AND TRUSTEE AGENCIES**

The City of Manteca is the lead agency with primary authority for approval of the project. Additional agencies (listed below) with potential permit or approval authority over the project, or elements thereof, will have the opportunity to review this document during the public review period, and will use this information in consideration and issuance of any permits required for the project.

Public agencies with known or potential permit or other approval authority, or jurisdiction by law over resources on the site include but may not be limited to:

### **Lead Agency**

- ▶ City of Manteca (project approval)

### **State Responsible Agencies**

- ▶ State of California Regional Water Quality Control Board (RWQCB) (National Pollutant Discharge Elimination System Permit)

### **State Trustee Agencies**

- ▶ California Department of Fish and Game (DFG) (California Endangered Species Act Permit)

### **Local Responsible Agencies**

- ▶ San Joaquin Valley Air Pollution Control District (Authority to Construct and Permit to Operate)
- ▶ San Joaquin Council of Governments (SJCOG) (Implementation of San Joaquin County Multi-species Habitat Conservation and Open Space Plan [SJMSCP])

## **1.5 PUBLIC REVIEW PROCESS**

Consistent with the requirements of CEQA, a good faith effort has been made during the preparation of this Draft EIR to contact affected agencies, organizations, and individuals who may have an interest in the project. As described above, this effort included the circulation of an NOP on January 5, 2007 and a public scoping meeting in the City of Manteca on January 24, 2007. In addition, early consultation with relevant agencies, organizations, and individuals assisted in the preparation of this Draft EIR. The City of Manteca has filed a Notice of Completion (NOC) with the Governor's Office of Planning and Research, State Clearinghouse, indicating that this Draft EIR has been completed and is available for review and comment by the public. This Draft EIR is being circulated for a 45-day public review period, during which time written comments will be received by the City of Manteca at the following address:

Mark Meissner, Manteca Community Development  
City of Manteca  
1001 W. Center Street  
Manteca, CA 95337  
Facsimile: (209) 825-2349  
Email: mmeissner@ci.manteca.ca.us

Copies of the Draft EIR can be found at the following addresses:

Manteca City Clerk  
1001 W. Center Street  
Manteca, CA 95337

City of Manteca Community Development  
Department  
1001 W. Center Street  
Manteca, CA 95337

Manteca Branch Library  
Stockton-San Joaquin County Public Library  
320 West Center Street  
Manteca, CA 95336

## PUBLIC MEETING

A public meeting on this Draft EIR will also be held at the Manteca City Council Chambers at 6:00 p.m. on January 9, 2008, during the review period, to receive oral comments on the document. A public Notice of Availability of the Draft EIR, which also includes the date, time, and specific location for the public meeting, will be published in the local *Manteca Bulletin* newspaper.

## 1.6 TERMINOLOGY USED IN THE EIR

This Draft EIR includes the following terminology to denote the significance of environmental impacts of the project:

- ▶ **Less-than-significant Impact:** A less-than-significant impact is one that would not result in a substantial and adverse change in the environment. This impact level does not require mitigation.
- ▶ **Significant Impact:** CEQA Section 21068 defines a significant impact as one that causes “a substantial, or potentially substantial, adverse change in any of the physical conditions in the area affected by the project.” Feasible mitigation measures or alternatives to the project must be considered to reduce the magnitude of significant impacts to less-than-significant levels.
- ▶ **Potentially Significant Impact:** 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 definitely determined. For CEQA purposes, a potentially significant impact is treated as if it was a significant impact and would require mitigation.
- ▶ **Significant and Unavoidable Impact:** A significant and unavoidable impact is one that would result in a substantial adverse effect on the environment that cannot be feasibly mitigated to a less-than-significant level. A project with significant unavoidable impacts can still be approved, but the city would be required to prepare a Statement of Overriding Considerations, pursuant to State CEQA Guidelines Section 15093, explaining the social, economic, or other benefits of the project that outweigh the significant environmental impacts.
- ▶ **Thresholds of Significance:** A criterion to define at what level an impact would be considered significant. A criterion is defined based on examples found in CEQA or the State CEQA Guidelines, scientific and factual data relative to the lead agency jurisdiction, views of the public in affected areas, the policy/regulatory environment of affected jurisdictions, and other factors.

## 1.7 EIR ORGANIZATION

This Draft EIR is organized into chapters, as identified and briefly described below. Chapters are further divided into sections (e.g., Section 4.5, “Biological Resources”).

**Chapter 1, Introduction.** Chapter 1 describes the purpose and organization of the Draft EIR, context, and terminology used in the Draft EIR.

**Chapter 2, Executive Summary.** This section summarizes the project description, alternatives to the project, significant environmental impacts that would result from the project, and mitigation measures proposed to reduce or eliminate those impacts.

**Chapter 3, Project Description.** Chapter 3 describes the project location, background, proposed actions by the applicant, lead agency, federal, trustee, and responsible agency actions, project characteristics, and project objectives. This chapter also describes project construction and regulatory requirements.

**Chapter 4, Affected Environment, Environmental Consequences, and Mitigation Measures.** For each environmental issue area, this chapter describes the existing environmental setting, discusses the environmental impacts associated with the proposed project, and identifies mitigation for the impacts.

**Chapter 5, Cumulative Impacts.** This chapter contains a discussion of cumulative impacts that would result from the proposed project in combination with reasonably foreseeable projects in the project area.

**Chapter 6, Other CEQA-Mandated Sections.** The potential for the project to foster economic or population growth, or remove obstacles to growth are evaluated in Chapter 6. Project and cumulative impacts that cannot be mitigated to a less-than-significant level are also documented in this chapter.

**Chapter 7, Alternatives to the Project.** This chapter describes alternatives to the project, at a level consistent with CEQA requirements; State CEQA Guidelines Section 15126.6(d). This chapter presents brief descriptions of alternatives that could mitigate the project's environmental impacts while meeting most of the project's objectives. This chapter also describes alternatives previously considered and rejected.

**Chapter 8, Report Preparation.** This chapter identifies the Draft EIR authors and consultants who provided analysis in support of the Draft EIR's conclusions.

**Chapter 9, References.** This chapter sets forth a comprehensive listing of all sources of information used in the preparation of the Draft EIR, including agencies or individuals consulted during preparation of the Draft EIR.

**Appendices.** Appendices contain various technical reports, letters, official publications, summarized or otherwise used for preparation of the Draft EIR.

## 1.8 TECHNICAL STUDIES USED IN THE EIR

Several studies or reports have been prepared in support of the analysis presented in this Draft EIR and are included in the appendices, where appropriate. In addition, the following studies and reports were prepared in connection with the project, and are available at the City of Manteca, Community Development Department, 1001 West Center Street, Manteca, CA 95337.

- ▶ *Draft Environmental Impact Report, Volumes 1 and 2, Manteca General Plan 2023* (City of Manteca 2003)
- ▶ *City of Manteca General Plan 2023 Policy Document* (City of Manteca 2003)
- ▶ *City of Manteca Urban Water Management Plan 2005 Update* (City of Manteca 2005)
- ▶ *Phase I Environmental Site Assessment Approximately 16 Acres Proposed Lowe's, Manteca, California* (Kleinfelder 2005)
- ▶ *Geotechnical Services Report Proposed Commercial Development Airport Way and Daniels Street, Manteca, California* (Kleinfelder 2005)
- ▶ *Noise Impact Study Lowe's Hardware Store, Manteca, CA* (Wilson, Ihrig & Associates 2006)
- ▶ *Health Risk Assessment to Support Environmental Impact Analysis for the Proposed Lowe's Center Commercial Development, Manteca, CA* (ENSR Corporation September 2007)
- ▶ *Lowe's Parking Lot Lighting Study* (Auerbach Glasow March 2007)
- ▶ *Lowe's Parking Lot Lighting Study* (Auerbach Glasow November 2007)

- ▶ *Traffic Study for the Proposed Lowe's Center Commercial Development Project, Manteca, California* (Fehr & Peers 2007)
- ▶ *City of Manteca Storm Drain Master Plan* (West Yost & Associates 2006)
- ▶ *Preliminary Wetland Threatened/Endangered Species Survey* (Kleinfelder 2005)