

## 6 OTHER CEQA SECTIONS

### 6.1 SIGNIFICANT AND UNAVOIDABLE IMPACTS

CEQA Section 21100(b)(2)(A) provides that an EIR shall include a detailed statement setting forth “in a separate section: any significant effect on the environment that cannot be avoided if the project is implemented.” Chapter 4 of this Draft EIR provides a detailed analysis of all potential significant environmental impacts of the project, feasible mitigation measures that could reduce or avoid the project’s significant impacts, and whether these mitigation measures would reduce these impacts to less-than-significant levels. Chapter 5, “Cumulative Impacts,” identifies the significant cumulative impacts of the project. If a specific impact cannot be reduced to a less-than-significant level, it is considered a significant and unavoidable impact. Significant unavoidable environmental impacts (direct, indirect, and cumulative) of the proposed project are listed below.

#### 6.1.1 PROJECT IMPACTS

**IMPACT 4.2-3: Visual Resources — Degradation of Visual Character.** Implementation of the project would substantially alter the visual character of the project site through conversion of agricultural land to developed urban uses. This would be considered a significant impact.

Because of the scale and location of the proposed project, there is no feasible mitigation available to address aesthetic resource impacts associated with the conversion of agricultural land to commercial development. Although design, architectural, development, and maintenance standards are included in the project to ensure that commercial development at the project site remains within the City’s aesthetic guidelines, there is no mechanism to allow implementation of the project while avoiding the conversion of the local viewshed from agricultural to commercial development. Because no feasible mitigation is available to reduce this impact to a less-than-significant level, this impact would be considered significant and unavoidable.

**IMPACT 4.3-2: Generation of Long-Term Operation-Related (Regional) Emissions of Criteria Air Pollutants and Ozone Precursors.** Operation-related activities would result in project-generated emissions of ROG or NO<sub>x</sub> that exceed SJVAPCD’s significance threshold of 10 tpy. Thus, without mitigation, project-generated, operation-related emissions of criteria air pollutants and precursors could violate or contribute substantially to an existing or projected air quality violation or conflict with air quality planning efforts. As a result, this impact would be significant.

Implementation of Mitigation Measures 4.3-2a and 4.3-2b would further reduce operations emissions of ROG and NO<sub>x</sub> beyond the required compliance with Rule 9510. The results of implementing these measures can not be reasonably quantified. Therefore, the impact would remain significant and unavoidable.

**IMPACT 4.8-1: Agricultural Resources — Direct Conversion of 16 Acres of Important Farmland to Nonagricultural Urban Use.** Implementation of the project would result in the direct conversion of approximately 16 acres of Farmland of Statewide Importance to nonagricultural urban use. Conversion of Important Farmland would be a significant impact.

While partial mitigation is available in the form of participation in the City’s Agricultural Mitigation Fee Program, no feasible mitigation is available to fully mitigate the loss of Important Farmland or the conversion of farmland to non-agricultural uses. Although recommended measures would substantially lessen significant impacts associated with farmland conversion impacts, the fees paid to the City would only partially offset conversion of Important Farmland. Therefore, full compensation for potential losses of Important Farmland would not be achieved, and this impact would remain significant and unavoidable.

**IMPACT 4.11-1: Transportation and Circulation—Increases in Peak Hour Traffic Volumes on Regional Roadways Resulting in Unacceptable Levels of Service.** The proposed project would cause an increase in p.m. peak hour traffic volumes that would result in unacceptable levels of service and warrant the need for improvements at five intersections. Because the project would result in an unacceptable operating condition based on applicable standards, this impact would be significant.

With implementation of Mitigation Measure 4.11-1, the project's impacts to two local area intersections would be reduced to a less-than-significant level because the project applicant would be required to pay required PFIP fees. However, for some intersections (Union Road/Daniels Street, Union Road/SR 120 westbound ramps, and Union Road/SR 120 eastbound ramps), full funding for the improvements has not been identified, recommended improvements are subject to the control of Caltrans, and it is unknown whether the improvements would be implemented at the time the project builds out. Therefore, for purposes of CEQA, this would be considered a significant and unavoidable interim impact.

**IMPACT 4.11-3: Transportation and Circulation—Increases in Project-Related Traffic Volumes on Freeway Operations.** The project would increase traffic volumes along freeway mainline segments and ramp junctions of SR 120. The addition of project-generated traffic to freeway mainline segments would degrade currently acceptable LOS conditions to unacceptable conditions. This would be a significant impact.

Because the timeframe for the widening improvement is unknown and the improvement is outside the control of the City or the project applicant, no feasible mitigation measures are available to reduce the project's impact to operation of SR 120 on the westbound mainline segment between Airport Way and Yosemite Avenue during a.m. peak hours, and on the eastbound mainline segment between Yosemite Avenue and Airport Way during p.m. peak hours under existing plus project conditions. Therefore, this impact would remain significant and unavoidable.

**IMPACT 4.11-4: Transportation and Circulation—Increases in Peak Hour Traffic Volumes on Regional Roadways Resulting in Unacceptable Levels of Service under Cumulative Plus Project Conditions (2015).** Operational traffic conditions for cumulative conditions at most intersections in the project study area would operate at an unacceptable LOS. The project would exacerbate unacceptable LOS that would exceed the City of Manteca's LOS thresholds under cumulative conditions. In addition, the project would exacerbate existing unacceptable levels of service along roadway segments of Airport Way and Union Road. This would be a significant impact.

While implementation of Mitigation Measure 4.11-4 (a through r) would substantially reduce the project's cumulative transportation impacts, it cannot be guaranteed at this time that recommended fair-share improvements to widening of Airport Way, Union Road, Yosemite Avenue, Wawona Street, Daniels Street, Atherton Drive, and Woodward Avenue and improvements to the SR 120 interchanges with Airport Way and Union Road would be implemented prior to buildout of the project site. Further, it is legally infeasible to require an applicant to pay more than its fair share of the costs associated with a mitigation measure. Therefore, for purposes of CEQA, this impact would remain significant and unavoidable.

**IMPACT 4.11-9: Transportation and Circulation—Bus Transit Services.** Implementation of the project would generate a need for public bus transportation services. Because limited bus services are currently available to serve the project area and none are proposed as part of the project, this impact would be significant.

While it would be possible to ensure the availability of adequate transit facilities at the project site, it cannot be guaranteed that the City would be able to extend bus transit routes to the project site at the time the project begins operation. If bus transit services are provided to the site at the time of issuance of the first occupancy permit, then this impact would be reduced to a less-than-significant level. However, because it cannot be guaranteed that adequate transit services would be in place prior to the opening of the project, this impact would remain significant and unavoidable.

## 6.1.2 CUMULATIVE IMPACTS

As indicated in Chapter 5, “Cumulative Impacts,” project implementation would result in direct and indirect cumulatively considerable incremental contributions to significant cumulative impacts related to visual resources, air quality, agriculture, hydrology (groundwater supply and quality), utilities and service systems (wastewater), and transportation and circulation. No additional feasible mitigation is available for the cumulative impacts identified. Because these impacts are a product of cumulative growth, and because no feasible mitigation is available to reduce these impacts to less-than-significant levels, these significant impacts cannot be avoided and thus represent significant and unavoidable adverse impacts.

## 6.2 GROWTH-INDUCING IMPACTS

### 6.2.1 INTRODUCTION

The State CEQA Guidelines (Section 15126[d]) require that an EIR evaluate the growth-inducing impacts of a project. Growth-inducing impacts are described in Section 15126.2(d) as follows:

[T]he ways in which a 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 which would remove obstacles to population growth.... Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects.... [In addition,] the characteristics of some projects...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.

Included in this definition are public works projects that would remove obstacles to population growth. Direct growth inducement would result if a project, for example, involved the construction of new housing. Indirect growth inducement would result, for example, if project implementation resulted in any of the following:

- ▶ substantial new permanent employment opportunities (e.g., commercial, industrial, or governmental enterprises);
- ▶ a construction effort with substantial short-term employment opportunities that indirectly stimulates the need for additional housing and services to support the new temporary employment demand; and/or
- ▶ removal of an obstacle to additional growth and development, such as removing a constraint on a required public utility or service (e.g., construction of a major sewer line with excess capacity through an undeveloped area).

Growth inducement may lead to adverse environmental impacts if the induced growth is not consistent with or accommodated by the land use plans and growth management plans and policies for the area affected and thus would lead to adverse physical effects that might not occur otherwise. Local land use plans provide for land use development patterns and growth policies that encourage orderly urban development supported by adequate urban public services such as water supply, roadway infrastructure, sewer services, and solid waste services. A project that would induce “disorderly” growth (i.e., growth that would conflict with the local land use plans) could indirectly cause additional adverse environmental impacts and other public services impacts.

Growth in itself does not have physical environmental impacts and is thus not treated as an environmental resource; however, growth may foreseeably lead to physical environmental effects, which could include increased demand for public services, increased traffic and noise, degradation of air or water quality, or conversion of agricultural and open space land to urban uses.

## **6.2.2 SUMMARY OF CITY OF MANTECA GENERAL PLAN EIR ANALYSIS OF GROWTH-INDUCING IMPACTS**

The project site is located in the southern portion of the City of Manteca (City). The entire project site is designated for commercial mixed use (CMU) by the City general plan. The existing land use designations in the City general plan indicate that the City has planned for conversion of this land to urban uses. Development of the proposed project would require various entitlements from the City to allow development of the project. The project does not include development of any residential uses entitled by the CMU land use designation; therefore, the project would require a general plan amendment to change the land use designation for the project site to General Commercial (GC). The GC category provides for wholesale, warehousing, and heavy commercial uses, highway-oriented commercial retail, public and quasi-public uses, and similar compatible uses. The Growth-Inducing Impact analysis in the City of Manteca General Plan EIR considers overall development of the Manteca General Plan (2003), including the proposed project site.

## **6.2.3 GROWTH-INDUCING IMPACTS OF THE PROJECT**

As discussed above, the City general plan identifies primarily commercial and some residential uses in the project area. The proposed project includes similar land uses as the City general plan, and the proposed densities are similar to or lower than previously considered uses in the City general plan. The proposed project would result in the development of an approximately 202,589 square-foot commercial center on 16 acres including large retail, restaurants, and other retail. Although there are differences from the City's general plan designations for the proposed project site, many aspects of the proposed project are consistent with the general plan and other City planning documents, and the overall proposed development pattern is similar, as discussed below.

Roadways providing access to the project site would consist of existing roads and improved roads along existing roadway alignments. The project would develop and/or improve the road network in the project area, and would not provide new access or substantially enhanced access to currently undeveloped areas. Therefore, the proposed roadway network would not be growth inducing.

Water for the project would be provided through the conjunctive use of both groundwater from existing city wells and the surface water from the South County Water Supply Project. The project would construct on-site water infrastructure improvements that would tie into the existing water lines located along Daniels Street. This new infrastructure would not be able to serve additional growth above what is proposed by the project. Therefore, construction of these facilities would not be growth inducing.

The project would construct the necessary facilities to connect development within the project site to the City's wastewater conveyance system. The project would not require the expansion of the existing capacity of the City's wastewater system and would not serve development outside the project site. Therefore, construction of these facilities would not be growth inducing.

The project would involve a substantial construction effort over an estimated 12-month period (6-months for the Lowe's Home Improvement Warehouse, and 6-months for the three retail buildings) that during peak periods would bring up to 25 construction workers to the project site on a daily basis. Because construction workers typically do not change where they live each time they are assigned to a new construction site, it is not anticipated that there would be any substantial relocation of construction workers to the City associated with the project. The existing number of residents in the City and County who are employed in the construction industry would likely be sufficient to meet the demand for construction workers that would be generated by the project. Therefore, no substantial increase in demand for housing or goods and services would be created by project construction workers, and thus no growth inducement associated with these workers would occur.

The proposed project would include the development of approximately 202,589 square feet of commercial space on 16 acres and would include large retail, restaurants, and other retail. The project is estimated to generate at

least 250 employees by project buildout (250 Lowe's Home Improvement Warehouse employees plus retail store and restaurant employees). The 2000 jobs-housing index for San Joaquin County and the City of Manteca was 1.22 and 1.34, respectively, indicating an imbalance between housing (i.e., reflected as employed residents) and jobs, with housing growth outpacing employment growth (City of Manteca 2003, SJCOG Research and Forecasting Center 2000). This index indicates that San Joaquin County and the City of Manteca had more employed residents than jobs in 2000 and that the County supported a net out-commuting population. By 2010, the jobs-housing index for the County and City indicate that the number of employed residents living in the County and City would still exceed the number of jobs (City of Manteca 2005). Because the County and City are "housing rich," the number of housing units available should be sufficient to accommodate the employees generated by the proposed project. In 2010, shortly after buildout of the project, the jobs-housing index is projected to be 1.17, which indicates that there would be approximately 4,061 more employed residents than jobs. If the jobs generated by the proposed project are filled by employed residents in the City, the jobs-housing index would decrease, indicating a more balanced condition. Given these conditions, jobs generated by the proposed project are expected to be filled in large part by the existing resident labor pool in the City and region. Therefore, the project is not anticipated to spur significant population growth or need for additional housing.

Police, fire, and other City services would be expanded only as necessary to meet project demand. Therefore, with respect to public services, the project would not facilitate additional development because the project would not create additional public service capacity in the City.

The land north of the project site is currently in agricultural land use and designated in the City general plan as Neighborhood Commercial. Because of this designation, the intended long-term use of this property is for commercial uses. As the proposed project develops, it would place urban development adjacent to a small amount of fallow agricultural land. Historically, this type of land use pattern results in conflicts between the ongoing agricultural operations and the urban development uses. Further, economic returns from urban development are typically substantially higher than continued agricultural use of land, and encroaching urban uses typically make attractive the conversion of adjacent agricultural land to urban uses. Thus, it can be expected that the proposed project would place pressure on agricultural land to the north of the site to convert to urban uses. However, conversion of lands to the north for urban uses is consistent with the long-term planning for the area. Therefore, the long-term urbanization of these properties would not be considered a reasonably foreseeable indirect effect of the proposed project. (See State CEQA Guidelines Section 15358 [defines "effects" for purposes of CEQA as including "[i]ndirect or secondary effects which are caused by the project and are later in time or farther removed in distance, but are still *reasonably foreseeable*"] [emphasis added]).

Overall, the proposed project would not be growth inducing for the reasons described above.

### **6.3 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES**

The State CEQA Guidelines require a discussion of the significant irreversible environmental changes which would be involved in the project should it be implemented.

The irreversible and irretrievable commitment of resources is the permanent loss of resources for future or alternative purposes. Irreversible and irretrievable resources are those that cannot be recovered or recycled or those that are consumed or reduced to unrecoverable forms. The proposed project would result in the irreversible and irretrievable commitment of energy and material resources during project construction, operation, and maintenance, including the following:

- ▶ construction materials, including such resources as rocks, wood, concrete, glass, roof shingles, and steel;
- ▶ human labor for project construction;
- ▶ land area committed to new project facilities;

- ▶ conversion of agricultural land to urban uses;
- ▶ water supply for project operation; and
- ▶ energy expended in the form of electricity, gasoline, diesel fuel, and oil for equipment and transportation vehicles that would be needed for project construction and operation.

The use of these nonrenewable resources is expected to account for a minimal portion of the region's resources and would not affect the availability of these resources for other needs within the region. Long-term operational energy and natural resource consumption is expected to be significant, although it would not exceed the capacity of energy suppliers to meet local demand once the new infrastructure is in place. Construction activities would not result in inefficient use of energy or natural resources. Construction contractors selected would use best available engineering techniques, construction and design practices, and equipment operating procedures. Because implementation of the proposed project would result in substantial long-term consumption of energy and natural resources, these potential irreversible changes would be significant.

Further, the project would result in the permanent conversion of approximately 16 acres of Important Farmland to nonagricultural use (i.e., urban residential land uses). As described in Section 6.1, "Significant and Unavoidable Impacts," this would be a significant and unavoidable irreversible environmental change.