

8. RESOURCE CONSERVATION ELEMENT

*(This element was titled Natural Resources in the 1988 General Plan).

Clean air and water, healthy agricultural land and soil, and open space opportunities make Manteca an attractive place to live and work. These assets must be conserved and protected as the community grows and the population increases.

This General Plan seeks to accommodate population growth while conserving and protecting the area's natural resources and quality of life. Economic development (i.e. growth) and maintaining quality of life are not inconsistent and contradictory goals. Indeed, economic development for the City of Manteca depends on protecting the natural resources that are essential to the quality of life in Manteca.

8.1 Authority

The Conservation Element and the Open Space Element are both mandated by the Government Code (Sections 65302(d) and 65302(e)). The Conservation Element is required to:

“...provide direction regarding the conservation, development, and utilization of natural resources.”

The Open Space Element is required to:

“...guide the comprehensive and long-range preservation and conservation of ‘open-space land’ (Section 65563). Open-space land is defined in the code as any parcel or area of land or water that is essentially unimproved and devoted to open-space use (Section 65560(b)).”

The discussion of these topics are organized under the following headings:

- Water Conservation
- Energy Conservation
- Soils and Erosion Control
- Water Quality
- Open Space

- Agricultural Resources
- Biological Resources
- Mineral Resources
- Historic and Cultural Resources

8.2 Relationship to Other General Plan Elements

The required topics for the Resource Conservation Element indicate substantial overlap with other Elements of this General Plan. For example, water supply and energy sources are also addressed in the Public Services and Facilities Element. Open space is addressed in the Land Use Element. Energy efficiency is discussed in the Community Design Element and the Circulation Element.

8.3 Water Conservation

Goal RC-1. Minimize the consumption of water to reasonable levels consistent with a high level of amenities and quality of life for City residents and visitors.

Goal RC-2. Maximize the beneficial uses of water by recycling water for irrigation and other non-potable uses.

8.3.1 Policies: Water Conservation

RC-P-1. The City shall continue to implement water conservation standards for all commercial and industrial development, and for all existing and new residential development.

RC-P-2. The City shall explore potential uses of treated wastewater when such opportunities become available.

RC-P-3. The City shall protect the quantity of Manteca's groundwater.

RC-P-4. The City shall require water conservation in both City operations and private development to minimize the need for the development of new water sources.

- RC-P-5. Development of private water wells within the city limits shall be allowed only where the City makes a finding that municipal water service is not readily and feasibly available, and such private well systems shall only be allowed to be used until such time as City water service becomes available.

8.3.2 Implementation: Water Conservation

- RC-I-1. Continue to implement standards for water conserving landscape practices, including the use of drought tolerant plants, for both public and private projects.
- RC-I-2. Continue efforts to increase public participation in water conservation.
- RC-I-3. Require large commercial and industrial water users to submit a use and conservation plan as part of the project entitlement review and approval process, and develop a program to monitor compliance with and effectiveness of that plan.
- RC-I-4. Cooperate with other agencies and jurisdictions to expand water conservation programs, and to develop methods of water reuse.
- RC-I-5. Actively pursue the use of treated wastewater in irrigation and industrial applications, including development of appropriate infrastructure.

8.4 Energy Conservation

Successful growth in Manteca is dependent in part on conservation and planning for the future allocation of energy resources. The primary goals are not only to conserve and protect current energy resources, but also to seek new sources of energy for current and future land use.

Energy supply and conservation are also addressed in the Public Facilities and Services Element and the Housing Element.

- Goal RC-3.** The City shall ensure that land use and circulation improvements are coordinated to reduce the number and length of vehicle trips and thereby help conserve scarce or nonrenewable energy resources.
- Goal RC-4.** Encourage private development to explore and apply non-traditional energy sources such as co-generation, wind, and solar to reduce dependence on traditional energy sources.
- Goal RC-5.** Promote energy efficiency in new development and in building design.

8.4.1 Policies: Energy Conservation

- RC-P-6. Comply with construction and design standards that promote energy conservation.
- RC-P-7. Conserve public utilities.
- RC-P-8. Conserve petroleum products.
- RC-P-9. The City shall support use of alternative energy sources in new commercial, industrial and residential development.

8.4.2 Implementation: Energy Conservation

- RC-I-6. The City shall implement development standards that promote energy conservation and the use of solar energy techniques for heating and cooling, including building orientation, street and lot layout, landscape placement, and protection of solar access.
- RC-I-7. Implement construction standards which promote energy conservation including window placement, building eaves, and roof overhangs.
- RC-I-8. The City shall enforce Title 24 energy requirements (Building Code, California Code of Regulations (CCR)) which define construction standards that promote energy conservation.

- RC-I-9. Develop a public education program to increase public participation in energy conservation.
- RC-I-10. Encourage large energy users to use an energy conservation plan as part of the project review and approval process, and develop a program to monitor compliance with and effectiveness of that plan.
- RC-I-11. Cooperate with other agencies and jurisdictions to expand energy conservation programs.
- RC-I-12. Investigate alternative energy sources including co-generation, active solar energy, and wind generation.
- RC-I-13. Implement Transportation System Management (TSM) measures, as outlined in the Circulation Element, which reduce the need for automobile use and petroleum products through an efficient roadway and intersection system. The circulation pattern is designed to minimize trips required for shopping and daily errands.
- RC-I-14. Develop alternative transportation systems, such as public transportation and bikeways, which reduce the need for automobile use and petroleum products.
- RC-I-15. Comply with state requirements for regulation of new fireplaces and wood stoves.

8.5 Soils and Erosion Control

The primary concerns regarding soil erosion are soil loss, and water quality loss due to erosion and sedimentation. The effect on water quality is discussed below. Soil loss is due primarily to development and land management practices that leave disturbed soil exposed to weather.

- Goal RC-6.** Preserve and maintain Manteca's soils to avoid pollution of surface waters, decreased air quality, and loss of soil.

8.5.1 Policies: Soils and Erosion Control

- RC-P-10. Minimize soil erosion and loss of topsoil from land development activities, wind, and water flow.

8.5.2 Implementation: Soil and Erosion Control

- RC-I-16. All new development shall comply with the Uniform Building Code (UBC) requirements for specific site development and construction standards for specific soil types.
- RC-I-17. All new development shall comply with the Uniform Building Code (UBC), Chapter 70, regulating grading activities including drainage and erosion control.
- RC-I-18. Require site-specific land management and development practices for proposed development projects, including appropriate mitigation measures for avoiding or reducing erosion.

8.6 Water Quality

Water quality refers to protection of both surface and groundwater resources from contamination. Protecting surface water quality involves minimizing sedimentation from soil erosion, and minimizing pollution of waterways and other water bodies from urban runoff. Protecting groundwater quality requires maintaining high water quality within the water systems. The policies in this Element address the management of land development and use of potential contaminants.

- Goal RC-7.** To protect water quality in the San Joaquin River and in the area's groundwater basin.

8.6.1 Policies: Water Quality

- RC-P-11. Minimize sedimentation and loss of topsoil from soil erosion.
- RC-P-12. Minimize pollution of waterways and other surface water bodies from urban runoff.

- RC-P-13. Protect the quality of Manteca's groundwater.
- RC-P-14. Encourage participation by the County and surrounding communities in a basin-wide groundwater management study.
- RC-P-15. Once sewer service has been extended to incorporated areas, new septic tanks shall not be permitted.

8.6.2 Implementation: Water Quality

- RC-I-19. The City shall work with the County and surrounding communities to develop an action plan and/or to create an agency to manage and protect local and regional groundwater resources.
- RC-I-20. The City shall not approve new industrial or commercial development that has a significant potential for adversely affecting water quality in the San Joaquin River or in the area's groundwater basin.
- RC-I-21. The City shall regularly monitor water quality in City wells for evidence of toxics, saltwater intrusion, and other contaminants.
- RC-I-22. Maintain a buffer area between waterways and urban development to protect water quality and riparian areas.
- RC-I-23. Utilize cost-effective urban runoff controls, including Best Management Practices (BMPs), to limit urban pollutants from entering the water courses.
- RC-I-24. Comply with the Regional Water Quality Control Board's regulations and standards to maintain and improve groundwater quality in Manteca.

8.7 Open Space

Manteca is a relatively compact, urbanized community with an established civic center, surrounded by agricultural land. The City is physically divided by the

Tidewater Bikeway, which was a former railroad right-of-way. Protection of open space is fundamental to maintain the quality of life enjoyed by current and future residents. New development will inherently change some aspects of the open space resource through conversion of agricultural land. However, through planning for the location and character of new development, open space areas can be preserved.

Open space is also addressed in the Biological Resources discussion below.

Manteca's open space areas are intended to serve the following purposes:

- **Open space for the preservation of natural and biological resources.** Such areas are required for the preservation of plant and animal life, including habitat for plant and wildlife species (particularly rare, endangered, or threatened plant and wildlife species), areas required for ecological and other scientific study purposes, tributaries of the San Joaquin River, and wetlands.
- **Open space for the recreation opportunities.** Many open space areas can be used for passive recreation, such as walking and hiking.
- **Public health and safety.** This refers to areas requiring special management or regulation due to hazardous or special conditions, such as earthquake fault zones, unstable soil areas, and areas required for the protection and enhancement of air quality.

Goal RC-8. To provide adequate land for open space as a framework for urban development, to meet the passive recreation needs of the community, and to set aside wildlife habitat.

8.7.1 Policies: Open Space

RC-P-16. Provide public and private open space within urbanized parts of Manteca, in order to provide visual contrast with the built environment and to provide for the recreational needs of residents

RC-P-17. Provide access to public open space areas.

RC-P-18. New development shall maximize the potential for open space and visual experiences.

8.7.2 Implementation: Open Space

- RC-I-25. Provide an interconnecting system of open space corridors that incorporate bicycle and pedestrian paths within the urbanized area that connect to regional open space corridors, such as the San Joaquin River.
- RC-I-26. Use a system of open space corridors to provide pedestrian and bicycle connections between schools, parks and other recreation areas, commercial uses, and employment centers. This system of open space corridors should be connected to the Tidewater Bikeway where feasible, and to a citywide bike and pedestrian trail system as defined in the Circulation Element.
- RC-I-27. Require all new development to provide linkages to existing and planned open space that would logically be connected through the project.
- RC-I-28. Monitor groundwater resources and consider locating required detention basins where recharge potential is determined to be high.
- RC-I-29. Provide opportunities for public education through the City's open space system and natural resource areas.

8.8 Agricultural Resources

Manteca is located in an area of rich agricultural resources, including orchards, dairies, vineyards, row crops, and pasture land. A wide variety of agricultural production takes place in Manteca. Manteca desires to recognize the value of local agricultural resources. The City of Manteca has adopted a right-to-farm ordinance that requires developers of new subdivisions adjacent to agricultural land to notify new homebuyers that agricultural uses may present problems such as dust, noise, and odors.

Some of the farmland in Manteca has agricultural preserve status, under Williamson Act contracts (see Land Use Element).

Goal RC-9. To promote the continuation of agricultural uses in the Manteca area and to discourage the premature conversion of agricultural land to nonagricultural uses, while providing for the urban development needs of Manteca.

8.8.1 Policies: Agricultural Resources

RC-P-19. The City shall support the continuation of agricultural uses on lands designated for urban use, until urban development is imminent.

RC-P-20. The City shall provide an orderly and phased development pattern so that farmland is not subjected to premature development pressure.

RC-P-21. In approving urban development near existing agricultural lands, the City shall take actions so that such development will not unnecessarily constrain agricultural practices or adversely affect the viability of nearby agricultural operations.

RC-P-22. Nonagricultural uses in areas designated for agriculture should be redirected to urban areas.

RC-P-23. Protect designated agricultural lands, without placing an undue burden on agricultural landowners.

RC-P-24. Provide buffers at the interface of urban development and farmland; in order to minimize conflicts between these uses.

RC-P-25. The City shall ensure, in approving urban development near existing agricultural lands, that such development will not unnecessarily constrain agricultural practices or adversely affect the economic viability of nearby agricultural operations.

RC-P-26. The City shall restrict the fragmentation of agricultural land parcels into small rural residential parcels except in areas designated for estate type development in the General Plan Land Use Diagram.

- RC-P-27. The City shall discourage the cancellation of Williamson Act contracts outside the Primary Urban Service Boundary line.
- RC-P-28. The City shall not extend water and sewer lines to premature urban development that would adversely affect agricultural operations.
- RC-P-29. The City shall encourage Manteca Unified School District and the Delta Community College District to maintain the school farm facilities and associated education programs in the City.
- RC-P-30. The City of Manteca will participate in a county-wide program to mitigate the conversion of Prime Farmland and Farmlands of Statewide Importance to urban uses.

8.8.2 Implementation: Agricultural Resources

- RC-I-30. Apply the following conditions of approval where urban development occurs next to farmland.
- Require notifications in urban property deeds that agricultural operations are in the vicinity, in keeping with the City's right-to-farm ordinance.
 - Require adequate and secure fencing at the interface of urban and agricultural use.
 - Require phasing of new residential subdivisions; so as to include an interim buffer between residential and agricultural use.
- RC-I-31. Work with San Joaquin County on the following issues:
- Pesticide application and types of agricultural operations adjacent to urban uses.
 - Support the continuation of County agricultural zoning in areas designated for agricultural land use in the Area Plan.

8.9 Biological Resources

The land area surrounding the urbanized portion of Manteca is predominantly farmland, including alfalfa, orchards, row crops, and pasture. Agricultural lands have become important foraging resources for a number of species, including Swainson's Hawk which is a California State and federally protected species. Riparian woodland is found along the San Joaquin River to the west of the Study Area, and along its tributary, Walthall Slough. This riparian woodland is of special interest as the last remnant of natural vegetation that was once more extensive. Riparian woodland provides food and cover for a large number of wildlife species. Wetlands have also been identified along Highway 120 in the eastern portion of the Study Area.

8.10 San Joaquin County Multi-Species Habitat Conservation and Open Space Plan

The San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) is a multi-species, multi-habitat, multi-purpose open space management program for all of San Joaquin County. The Manteca City Council adopted the SJMSCP (Resolution #R2001-46) on February 5, 2001, signing a Joint Powers Agreement with other City, County, State, and Federal agencies.

The SJMSCP is a 50-year Plan (2001 – 2051) that provides compensation for the conversion of open space to non-open space uses which affect the plant, fish, and wildlife species covered by the Plan. The Plan also includes some compensation to offset the impacts of open space conversions on non-wildlife related resources such as recreation, agriculture, scenic values, and other beneficial open space.

Goal RC-10. Protect sensitive native vegetation and wildlife communities and habitat in Manteca.

8.10.1 Policies: Biological Resources

RC-P-31. Minimize impact of new development on native vegetation and wildlife.

- RC-P-32. Condition new development in the vicinity of the San Joaquin River and Walthall Slough to protect riparian habitat, wetlands, and other native vegetation and wildlife communities and habitats.
- RC-P-33. Discourage the premature removal of orchard trees in advance of development, and discourage the removal of other existing healthy mature trees, both native and introduced.
- RC-P-34. Protect special status species and other species that are sensitive to human activities.
- RC-P-35. Allow contiguous habitat areas.
- RC-P-36. Consider the development of new drainage channels planted with native vegetation, which would provide habitat as well as drainage.

8.10.2 Implementation: Biological Resources

- RC-I-32. Continue to support and comply with the requirements of the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) when reviewing proposed public and private land use changes.
- RC-I-33. Project proponents who opt not to participate in the SJMSCP shall:
- Satisfy applicable U.S. Endangered Species Act (ESA), California Endangered Species Act (CESA), National Environmental Policy Act (NEPA), California Environmental Quality Act (CEQA), and other applicable local, state, and federal laws and regulation provisions through consultations with the Permitting Agencies and local planning agencies.
 - Provide site-specific research and ground surveys for proposed development projects. This research must include a detailed inventory of all biological resources onsite, and appropriate mitigation measures for avoiding or reducing impact to these biological resources. This requirement may be waived if

determined by the City that the proposed project area is already sufficiently surveyed.

- RC-I-34. Until such time that a Clean Water Act regional general permit or its equivalent is issued for coverage under the SJMSCP, acquisition of a Section 404 permit by project proponents will continue to occur as required by existing regulations. Project proponents shall comply with all requirements for protecting federally protected wetlands.
- RC-I-35. Continue to enforce the City's heritage tree ordinance which defines and identifies mature trees to be protected, and establishes regulations for their protection and removal.
- RC-I-36. Limit the access of pedestrians and bicyclists to wetland areas so that access is compatible with long-term protection of these natural resources.
- RC-I-37. The City shall implement multiple use of resource areas, where feasible, that includes passive recreational and educational opportunities with the protection of wildlife and vegetation habitat areas.

8.11 Mineral Resources

The State of California has identified lands in the General Plan Study Area, near the San Joaquin River, as areas of significant mineral resources. In particular, sand deposits in these areas are considered to be of regional significance. However, Brown Sand and Gravel, Incorporated, the only operator within the Study Area (Oakwood Lake Pit), has completed mining operations. Oakwood Lake Resort has been created from reclaimed mined lands.

8.12 CULTURAL RESOURCES

The prehistory of the Manteca area is based on the archaeology of the greater Sacramento Delta region. Modern Manteca began as a railroad flag stop, Powell's Station, at the present location of downtown. Community life within Manteca's present city limits focused on the corner of Louise Avenue and Union Road.

Residential neighborhoods were beginning to fill in by 1918. The City of Manteca was incorporated on May 28, 1918. During the 1950's, the City grew even faster, as Manteca's inexpensive housing and small-town atmosphere drew workers from the Sharpe Army Depot in Lathrop and industrial plants in outlying areas.

Goal RC-11. Preserve and enhance Manteca's archaeological and historic resources for their aesthetic, educational and cultural values.

Goal RC-12. Protect Manteca's Native American heritage.

8.12.1 Policies: Cultural Resources

RC-P-37. The City shall not knowingly approve any public or private project that may adversely affect an archaeological site without consulting the California Archaeological Inventory at Stanislaus State University, conducting a site evaluation as may be indicated, and attempting to mitigate any adverse impacts according to the recommendation of a qualified archaeologist. City implementation of this policy shall be guided by the California Environmental Quality Act (CEQA) and the National Historic Preservation Act (NHPA).

RC-P-38. The City shall require that the proponent of any development proposal in an area with potential archaeological resources, and specifically near the San Joaquin River and Walthall Slough, and on the east side of State Highway 99 at the Louise Avenue crossing, shall consult with the California Archaeological Inventory, Stanislaus State University to determine the potential for discovery of cultural resources, conduct a site evaluation as may be indicated, and mitigate any adverse impacts according to the recommendation of a qualified archaeologist. The survey and mitigation shall be developer funded.

RC-P-39. The City shall set as a priority the protection and enhancement of Manteca's historically and architecturally significant buildings.

- RC-P-40. The City shall work with property owners seeking registration of historical structures as Historic Landmarks or listing on the Register of Historic Sites.
- RC-P-41. The City shall prepare and adopt a Historical Preservation Ordinance.
- RC-P-42. The City and Redevelopment Agency shall support the efforts of property owners to preserve and renovate historic and architecturally significant structures. Where such buildings cannot be preserved in tact, the City shall seek to preserve the building facades.

8.12.2 Implementation: Cultural Resources

- RC-I-38. Require a records search for any proposed development project, to determine whether the site contains known archaeological, historic, or cultural resources and/or to determine the potential for discovery of additional cultural resources. This requirement may be waived if determined by the City that the proposed project area is already sufficiently surveyed.
- RC-I-39. Require that sponsors of proposed development projects on sites where probable cause for discovery of archaeological resources (as indicated by records search and where resources have been discovered in the vicinity of the project) retain a consulting archaeologist to survey the project site. If unique resources, as defined by California State law, are found, a qualified archaeologist or historian shall be called to evaluate the find and to recommend proper action. Require a monitoring plan for the project to ensure that mitigation measures are implemented.
- RC-I-40. When feasible, incorporate significant archaeological sites into open space areas.
- RC-I-41. The City should continue its inventory of all historic sites throughout the City. The inventory should contain a narrative of the significant

facts regarding the historic events or persons associated with the site, and pictures of the site.

RC-I-42. The City shall continue to support the local historical society in their efforts to:

- archive historic information, including photographs, publications, oral histories and other materials, and
- make the information available to the public for viewing and research.

RC-I-43. All City permits for reconstruction or modification of existing buildings will require submittal of a photograph of the existing structure or site. The intent is to create a record of the buildings in the City over time. A photograph will also be required for vacant sites that will be modified with new construction of new buildings or other above ground improvements.

RC-I-44. Encourage the placement of monuments or plaques that recognize and celebrate historic sites, structures, and events.

RC-I-45. The City shall adopt and implement a historic building code, as authorized by state law.

RC-I-46. If human remains are discovered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to their origin and disposition pursuant to Public Resource code Section 5097.98. If the Coroner determines that no investigation of the cause of death is required, and if the remains are of Native American origin, the Coroner will notify the Native American Heritage Commission, which in turn will inform a most likely descendent. The descendent will then recommend to the landowner appropriate disposition of the remains and any grave goods.

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