CITY OF MANTECA

MANTECA SB 5 SAFETY ELEMENT AMENDMENT

INITIAL STUDY AND PROPOSED NEGATIVE DECLARATION

APRIL 14, 2016

Prepared for:

Community Development Department
Planning Division
City of Manteca
1001 W. Center St.
Manteca, CA 95337

Prepared by:

De Novo Planning Group
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D e N o v o P l a n n i n g G r o u p

A Land Use Planning, Design, and Environmental Firm

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Proposed Negative Declaration

for the

Manteca SB 5 Safety Element Amendment

Lead Agency: City of Manteca
1001 West Center Street
Manteca, CA 95337

Project Title: Manteca SB 5 Safety Element Amendment

Project Location:

The proposed project covers all lands within the Manteca Planning Area including the City Limits and Sphere of Influence (SOI).

Project Description:

The City of Manteca is seeking environmental approval for the Amendment of the General Plan Safety Element goals, policies, and implementation measures relating to the protection of current and future development projects within floodplains through planning, development requirements, and restrictions and standards on development, so that the findings of adequate progress can be made. The Amendment includes revision as required to maintain internal consistence within the Manteca General Plan, and consistency with SB-5 requirements.

Findings:

In accordance with the California Environmental Quality Act, City of Manteca has prepared an Initial Study to determine whether the Manteca SB 5 Safety Element Amendment may have a significant adverse effect on the environment. The Initial Study and Proposed Negative Declaration reflect the independent judgment of City of Manteca staff. On the basis of the Initial Study, City of Manteca hereby finds:

> *The proposed project will not cause a significant adverse effect on the environment because the project would not change any General Plan land use designations, Zoning designations, or grant entitlements that would result in additional development. Any future construction and levee upgrades are not within the proposed project's scope, and any such development would require its own environmental review under CEQA. The proposed flood protection goals, policies, and implementation measures contained in this General Plan Amendment would not directly or indirectly increase environmental impacts of future flood protection projects, or development projects. A Negative Declaration has thus been prepared.*

The Initial Study, which provides the basis and reasons for this determination, is attached and/or referenced herein and is hereby made a part of this document.

_____ _____

Date

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INITIAL STUDY CHECKLIST

PROJECT TITLE

Manteca SB 5 Safety Element Amendment

LEAD AGENCY NAME AND ADDRESS

City of Manteca
1001 West Center Street
Manteca, CA 95337

CONTACT PERSON AND PHONE NUMBER

Meissner Mark. Planning Manager
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1001 West Center Street
Manteca, CA 95337
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PROJECT SPONSOR'S NAME AND ADDRESS

City of Manteca
1001 West Center Street
Manteca, CA 95337

PROJECT LOCATION AND SETTING

The proposed project covers all lands within the Manteca Planning Area including the City Limits and sphere of influence (SOI). The city's regional location is shown on Figure 1.

CITY OF MANTECA GENERAL PLAN

The California Government Code §65000 et. seq. requires each City and County to adopt a general plan "for the physical development of the County or City, and any land outside its boundaries which bears relation to its planning" (§65300). The general plan has been deemed by the California courts to be the jurisdiction's "constitution for future development." The general plan describes the community's land use and development goals, policies, and standards and the measures needed to implement the plan. The general plan includes seven required elements: Land Use, Circulation, Housing, Conservation, Open-Space, Safety and Noise. Implementation measures may include the means for providing street and utility infrastructure needed to support new development, how natural resources will be conserved, and how public health and safety will be protected. Most local government decisions related to development are required by law to be consistent with the General Plan. The general plan is to be comprehensive in its treatment of land use and related issues, and the multi-faceted plan must also be "internally consistent." The general plan serves as a framework for public and private development, and establishes requirements for additional planning studies where greater specificity is needed.

The City of Manteca adopted the *City of Manteca General Plan* (2023 GP) on October 6, 2003. Subsequently, the City of Manteca adopted several amendments to individual General Plan Elements including the following: Circulation Element Amended April 5, 2011; Air Quality

Element Amended October 15, 2013; and Safety Element Amended December 17, 2013. The City of Manteca General Plan Land Use Map, as amended, designates land uses within the City Limits and sphere of influence (SOI). The City's General Plan Land Use Map is shown on Figure 2.

The *City of Manteca General Plan* (2023 GP), as amended, (hereinafter "Manteca General Plan" or "General Plan"), includes the seven State-mandated elements and four optional elements. The eleven elements that comprise this General Plan include:

- ***Land Use*** - establishes land use designations with types and intensities of use, and sets policies and programs regarding future development of the City.
- ***Community Design*** - establishes urban design guidelines to ensure that new development is attractive and contributes to the sense of Manteca as a location.
- ***Circulation*** - contains policies for the City's roadway system, transit, pedestrian and bicycle circulation, and contains methods of managing transportation demand, which accounts for the relationship between land use and circulation.
- ***Economic Development*** - addresses the need for Manteca to broaden its employment base to maintain the high quality of life currently enjoyed, and implements an economic development strategy.
- ***Housing*** - includes policies and programs to increase the variety and types of housing in the City, emphasizing infill sites, increased density, and mixed uses downtown, and also includes a discussion of housing needs and programs to provide additional housing for special needs populations.
- ***Public Facilities and Services*** - discusses public facilities including domestic water, sewer, storm drainage, electricity services, solid waste, education, police protection, fire protection, and parks and recreation.
- ***Safety*** - contains policies and programs to protect the community from injury, loss of life, and property damage resulting from natural disasters and hazardous conditions.
- ***Resource Conservation*** - emphasizes the accommodation of population growth while conserving and protecting the area's natural resources and quality of life.
- ***Noise*** - identifies policies that will protect the community from noise hazards.
- ***Air Quality*** - addresses the community's need to cooperate regionally so that increased development does not further degrade the air quality.
- ***Administration*** - provides a tool for City staff and elected officials to administer and implement the General Plan.

PROJECT DESCRIPTION

The City of Manteca proposes to adopt General Plan goals, policies, and implementation measures relating to the protection of current and future development projects within floodplains through planning, development requirements, and restrictions and standards on development. The new flood protection policies are intended to enhance the City of Manteca General Plan Safety Element, and reflect new information based on recent studies undertaken

by the city in conjunction with Reclamation District 17 (RD-17) and the neighboring City of Lathrop. Additionally, this Amendment is intended to enhance the City's continuing commitment to bring the General Plan into compliance with Government Code Sections 65302(g), 65302.9 and Senate Bill (SB) 5 (Chapter 364, Statutes of 2007).

The City proposes to adopt the General Plan goals, policies, and implementation measures presented below relating to flood protection, planning for the reduction of flood risk, and the approval of development projects within floodplains. These policies are to comply with the requirements of SB 5 (Chapter 364, Statutes of 2007) regarding General Plan content and the need for the City to certify that Urban Level of Flood Protection (ULFP) is or will be in place when approving development projects, and that the findings of adequate progress can be made. The proposed project would not result in any new development entitlements or changes in land uses. The proposed amendment includes an accompanying Background Report to provide information and analysis that supports the policy document.

The proposed flood protection policies will improve the city's existing level of flood preparedness, foster cooperation and coordination with other agencies that are planning and working on flood protection projects, provide for improved emergency evacuation, and restrict new development within the city to those locations where the City can make fact-based findings that 200-year flood protection is either in place or in progress.

PROPOSED AMENDMENT LANGUAGE

The proposed project would add the following language, goals and related policies and implementation measures to the Safety Element Section 7.2, and other elements as required to maintain internal consistency and fulfill the requirements of SB-5.

SAFETY ELEMENT

Section 7.2 Flood Hazards

Flood hazards in the Planning Area are the result of the 100 and 200 year flood, localized drainage problems, levee breaches, and dam failure. The effects of flooding include the initial force of floodwaters that can damage structures, vehicles, and overwhelm people within the floodway. Floodwaters can carry large objects downstream, which have the force to remove stationary structures and may cause loss of life and injury to people. Saturation of materials and earth can cause instability, collapse, and damage, and objects can be buried through sediment deposition. Floods can cause drowning or isolation of persons and animals, break utility lines, interrupting services and potentially affecting public health and safety. The secondary effects of flooding are due to standing water, which can result in the loss of crops, septic tank failure, water well contamination and illness. Standing water can also damage road, foundations, and electrical circuits.

Impervious Surfaces and Stormwater Runoff

Development and redevelopment activities allowed under the General Plan will result in the introduction of additional impervious surfaces in the planning area and diminish the amount of pervious areas where rain waters can permeate. Based on the higher urbanized nature of the planning area, the extent of additional site coverage and the additional storm flows resulting therefrom will be minimal. Storm water pollution can result from the contamination of runoff from urban areas as it drains from streets or property through the municipal storm water drainage system and into waterways (rivers, sloughs, creeks etc.) The contaminated storm

water may affect commercial fisheries, restrict swimming areas or affect the navigability of the regional waters.

100 and 200-Year Flood Areas

The primary flood hazard in the study area is the San Joaquin River and its tributaries. The hydrology of the region consists of this established river system and can be directly affected by several external factors. Meteorological events such as intense precipitation may adversely affect the natural drainage of the region. In addition, seasonal snowmelt will significantly contribute to the volume of water in the local hydrologic system. Urbanization contributes to an increased volume in the hydrologic system by maintaining a high percentage of impervious surface, which does not allow for infiltration of water into the soil and thus results in increased velocities and volumes of runoff. All of these factors can lead to exceeding the natural carrying capacity of the existing hydrology, which results in flooding of low-lying areas.

Dam Failure Inundation

The City, or portions of the City, would be subject to inundation in the event of dam failure. The City is subject to inundation from five upstream dams including: New Melones Dam (Calaveras County), San Luis Reservoir (Merced County), Tulloch Reservoir (Calaveras County), Lake McClure Reservoir (Mariposa County), and the Pine Flat Dam (Fresno County). Although the likelihood of dam failure is remote, failure of a dam would release stored water that could inundate areas within the City and result in loss of life, damage to property, displacement of residents and damage to water resources and other infrastructure.

Goals: Flood Safety

Goal S-3. Protect life and property from flood events.

Goal S-4. Provide a planning framework suitable for flood protection and risk management consistent with Federal and State law.

Goal S-5. Pursue flood control solutions that minimize environmental impacts.

Policies: Flood Safety

Policy S-P-7. Periodically review and update when necessary the General Plan Safety Element goals, policies, and implementation measures in order to maintain compliance with applicable Federal and State requirements.

Policy S-P-8. Maintain and periodically update City flood safety plans, floodplain management ordinances, zoning ordinance, building codes and other related sections of the Manteca Municipal Code to reflect Safety Element goals, policies and standards, applicable Federal and State law, and National Flood Insurance Program requirement.

Policy S-P-9. The City shall require evaluation of potential flood hazards prior to approval of development projects to determine whether the proposed development is reasonably safe from flooding and consistent with California Department of Water Resources (DWR) Urban Level of Flood Protection Criteria. The City shall not approve new development or a subdivision or enter into a development agreement for any property within a flood hazard zone after July 2, 2016 (or date as amended), unless the adequacy of flood protection as described in Government

Code §65865.5(a), 65962(a), or 66474.5(a), has been demonstrated.

Policy S-P-10. The City may permit new development in areas not identified as "urban" or "urbanizing" provided that they are protected from 100-year flooding by FEMA-accredited levees or equivalent flood protection as shown on an adopted FEMA FIRM, a FEMA-approved Letter of Map Revision (LOMR) or a Conditional Letter of Map Revision (CLOMR), subject to conditions specified in the CLOMR.

Policy S-P-11. The City may permit new development in areas not protected by FEMA-accredited 100-year levees subject to all applicable requirements of Manteca Municipal Code Chapter 8.30 (Floodplain Management), the California Building Standards Code as adopted by the City, and the latest promulgated FEMA standards for development in the 100-year floodplain, provided that new development approval will not cause the project site or area to be defined as "urban" or "urbanizing."

Policy S-P-12. Work closely with the City of Lathrop, and the local reclamation districts to improve levee systems as required to provide ULOP for urban and urbanizing areas in Manteca by 2025, and to provide the basis for findings of "adequate progress" toward that objective based on substantial evidence as soon as possible.

Policy S-P-13. The City shall continue to cooperate with local, regional, State, and Federal agencies in securing funding to obtain the maximum level of flood protection that is practical, with a goal of achieving 200-year flood protection for all areas of the City.

Policy S-P-14. Maintain active participation in the National Flood Insurance Program (NFIP).

Policy S-P-15. The City shall maintain eligibility in the Federal Emergency Management Agency's (FEMA's) Community Rating System (CRS) program, which gives property owners discounts on flood insurance.

Policy S-P-16. Provide technical assistance and encourage landowners within the FEMA Special Flood Hazard Area (100-year floodplain) to purchase and maintain flood insurance.

Policy S-P-17. Ensure that the impacts of potential flooding are adequately analyzed when considering areas for future urban expansion.

Policy S-P-18. Provide opportunities for review of and comment by the reclamation districts, Manteca Police Services, Manteca Fire Department, the Lathrop Manteca Fire District for comment during new development project review.

Policy S-P-19. Consider the risks of catastrophic dam failure in the planning and environmental review of new development projects.

Policy S-P-20. Incorporate riparian habitat protection, mitigation or enhancement into flood protection improvements to maintain existing floodwater capacity where feasible.

Policy S-P-21. Combine flood control, recreation, water quality, and open space functions where feasible.

Policy S-P-22. Discourage large continuous paved areas unless provided with engineered drainage facilities, and where feasible, require the use of pervious paving materials.

Policy S-P-23. When improvements to existing developments are made costing at least 50 percent of the current market value of the structure before improvements, structures shall be brought into compliance with relevant FEMA standards.

Policy S-P-24. The City shall require, for areas protected by levees, all new developments to include a notice within the deed that the property is protected from flooding by a levee and that the property can be subject to flooding if the levee fails or is overwhelmed by floodwater flow.

Policy S-P-25. The City shall update flood hazard maps as necessary to reflect impacts from climate change in terms of long-term flood safety and long-term flood event probabilities.

Implementation: Flood Safety

S-I-4. The City will amend Title 17 (Zoning) of the Manteca Municipal Code so as to require that ULOP or "adequate progress" findings specified in the Safety Element, and in Government Code Sections 65007, 65865.5, 65962 and 66474.5, be made prior to approving a development project located within RD 17 with predicted 200-year flood depths of more than three feet according to the official map approved by the City Engineer. Title 17 amendments shall also implement all Safety Element policies related to development permitting in potentially flooded areas.

S-I-5. The City will evaluate the consistency of the Safety Element with applicable laws, regulations and plans in conjunction with its annual review of the General Plan. The City shall determine whether and when an amendment of the Safety Element is required.

S-I-6. The City will continue to participate in the FEMA CRS program, including dissemination of information to the public and annual reviews of its participation in the FEMA CRS program and improve the program as feasible to maintain or improve effects on flood insurance costs.

S-I-7. The City will consider, in the review of plans for new development, the need for levee setbacks, dam failure risks and the views of the local flood protection and emergency response agencies.

S-I-8. Applications for development in areas subject to 200-year flooding shall indicate the depth of predicted 200-year flooding on the basis of official maps approved by the City Engineer.

S-I-9. The City will monitor changes in Federal and State laws and regulations related to local flood protection, including the National Flood Insurance Program (NFIP) and incorporate necessary changes into Section 15.56, Title 17 of the Manteca Municipal Code, the City's Emergency Operations Plan and building codes as required.

S-I-10. The City will prepare an official 200-year Floodplain Map for the City of Manteca identifying predicted flood depths for reference when making

land use determinations.

S-I-11. The City will amend Chapter 8.30 (Floodplain Management) of the Manteca Municipal Code to reflect flood protection requirements specified in the Safety Element as well as any relevant updates to Federal or State requirements.

S-I-12. The City will consider potential effects of climate change in planning, design and maintenance of levee improvements and other flood control facilities.

S-I-13. City will coordinate with RD 17 and RD 2094 as required for the purpose of ensuring that ULOP is available as soon as possible and that "adequate progress" findings can be made.

S-I-14. The City will encourage the reclamation districts to incorporate riparian habitat protection and/or enhancement in levee improvement plans where feasible.

Section 7.3 Hazardous Materials

Due to additional policy statements and implementation measures contained in the Safety Element Section 7.2 (Flood Hazards), re-numbering of policies and implementation measures will be required throughout this section. These numbering revisions include:

Policies: Hazardous Materials Safety

S-P-16. Re-number to **S-P-26.**

S-P-17. Re-number to **S-P-27.**

S-P-18. Re-number to **S-P-28.**

Implementation: Hazardous Materials Safety

S-I-10. Re-number to S-I-15

S-I-11. Re-number to S-I-16

S-I-12. Re-number to S-I-17

S-I-13. Re-number to S-I-18

S-I-14. Re-number to S-I-19

Section 7.4 Emergency Procedures

Policies: Emergency Procedures

S-P-30. The City shall provide for the availability and functionality of critical facilities during flooding events.

S-P-31. Locate new critical City facilities, and promote the location of non-City critical facilities, including hospitals, emergency shelters, fire stations, emergency response centers and emergency communications facilities outside of flood hazard zones where feasible. Critical facilities that are,

or must be located within flood hazard zones should incorporate feasible site design or building construction features to mitigate potential flood risk to ensure operation during a flood event.

Implementation Policies: Emergency Procedures

S-I-22. Cooperate with San Joaquin County OES, Manteca Fire Department, Lathrop Manteca Fire District, Manteca Police Services, the reclamation districts and other agencies with responsibility for emergency management in emergency response planning, training and provision of logistical support.

S-I-23. Support participation by City staff, the Police Services, Manteca Fire Department, and Lathrop Manteca Fire District in emergency response demonstrations and training where feasible.

S-I-24. The City will periodically coordinate local flood protection agencies, including the reclamation districts, to discuss the status of flood protection facilities and improvements, strategize future improvements, consider potential climate change effects, financing for improvements, emergency response plans, and worker training for emergency response situations.

S-I-25. The City will consider options for location of essential facilities outside flood-prone areas where feasible, and if essential facilities they must be located in areas of potential flooding how to mitigate the effects of flooding on the availability and use of those facilities.

In addition to the above policies and implementation measures, due to additional policy statements and implementation measures contained in the Safety Element Section 7.2 (Flood Hazards), re-numbering of policies and implementation measures will be required throughout this section. These numbering revisions include:

Policies: Emergency Procedures

S-P-19. Re-numbered to **S-P-29.**

Implementation Policies: Emergency Procedures

S-I-15. Re-number to S-I-20

S-I-16. Re-number to S-I-21

LAND USE ELEMENT

Section: 2.3.9 Implementation

LU-I-8. Annually review areas covered by the General Plan that are subject to flooding as identified by flood plain mapping prepared by the Federal Emergency Management Agency (FEMA), the Department of Water Resources (DWR), or refined City flood mapping as identified in the City's Safety Element and Safety Element background report.

BACKGROUND

FLOOD PROTECTION PLANNING REQUIREMENTS OF STATE LAW

For background, the pertinent Government Code requirements of SB 5, as amended, are as follows:

65302(g)(2) The safety element, upon the next revision of the housing element on or after January 1, 2009, shall also do the following:

(A) Identify information regarding flood hazards, including, but not limited to, the following:

> *(i) Flood hazard zones. As used in this subdivision, "flood hazard zone" means an area subject to flooding that is delineated as either a special hazard area or an area of moderate or minimal hazard on an official flood insurance rate map issued by the Federal Emergency Management Agency (FEMA). The identification of a flood hazard zone does not imply that areas outside the flood hazard zones or uses permitted within flood hazard zones will be free from flooding or flood damage.*
>
> *(ii) National Flood Insurance Program maps published by FEMA.*
>
> *(iii) Information about flood hazards that is available from the United States Army Corps of Engineers.*
>
> *(iv) Designated floodway maps that are available from the Central Valley Flood Protection Board.*
>
> *(v) Dam failure inundation maps prepared pursuant to Section 8589.5 that are available from the Office of Emergency Services.*
>
> *(vi) Awareness Floodplain Mapping Program maps and 200-year flood plain maps that are or may be available from, or accepted by, the Department of Water Resources.*
>
> *(vii) Maps of levee protection zones.*
>
> *(viii) Areas subject to inundation in the event of the failure of project or nonproject levees or floodwalls.*
>
> *(ix) Historical data on flooding, including locally prepared maps of areas that are subject to flooding, areas that are vulnerable to flooding after wildfires, and sites that have been repeatedly damaged by flooding.*
>
> *(x) Existing and planned development in flood hazard zones, including structures, roads, utilities, and essential public facilities.*
>
> *(xi) Local, state, and federal agencies with responsibility for flood protection, including special districts and local offices of emergency services.*

(B) Establish a set of comprehensive goals, policies, and objectives based on the information identified pursuant to subparagraph (A), for the protection of the community from the unreasonable risks of flooding, including, but not limited to:

> *(i) Avoiding or minimizing the risks of flooding to new development.*

(ii) Evaluating whether new development should be located in flood hazard zones, and identifying construction methods or other methods to minimize damage if new development is located in flood hazard zones.

(iii) Maintaining the structural and operational integrity of essential public facilities during flooding.

(iv) Locating, when feasible, new essential public facilities outside of flood hazard zones, including hospitals and health care facilities, emergency shelters, fire stations, emergency command centers, and emergency communications facilities or identifying construction methods or other methods to minimize damage if these facilities are located in flood hazard zones.

(v) Establishing cooperative working relationships among public agencies with responsibility for flood protection.

(C) Establish a set of feasible implementation measures designed to carry out the goals, policies, and objectives established pursuant to subparagraph (B). 65302.9

(a) Within 24 months of July 2, 2013, each city and county within the Sacramento-San Joaquin Valley shall amend its general plan to contain all of the following:

(1) (A) The data and analysis contained in the Central Valley Flood Protection Plan pursuant to Section 9612 of the Water Code, including, but not limited to, the locations of the facilities of the State Plan of Flood Control and the locations of the real property protected by those facilities.

(B) The locations of flood hazard zones, including, but not limited to, locations mapped by the Federal Emergency Management Agency Flood Insurance Rate Map or the Flood Hazard Boundary Map, locations that participate in the National Flood Insurance Program, locations of undetermined risk areas, and locations mapped by a local flood agency or flood district.

(2) Goals, policies, and objectives, based on the data and analysis identified pursuant to paragraph (1), for the protection of lives and property that will reduce the risk of flood damage.

(3) Feasible implementation measures designed to carry out the goals, policies, and objectives established pursuant to paragraph (2).

(b) An undetermined risk area shall be presumed to be at risk during flooding that has a 1-in-200 chance of occurring in any given year unless deemed otherwise by the State Plan of Flood Control, an official National Flood Insurance Program rate map issued by the Federal Emergency Management Agency, or a finding made by a city or county based on a determination of substantial evidence by a local flood agency.

(c) To assist each city or county in complying with this section, the Central Valley Flood Protection Board, the Department of Water Resources, and local flood agencies shall collaborate with cities or counties by providing them with information and other technical assistance.

(d) In implementing this section, each city and county, both general law and charter, within the Sacramento-San Joaquin Valley, shall comply with this article, including, but not limited to, Sections 65300.5, 65300.7, 65300.9, and 65301.

(e) Notwithstanding any other law, this section shall apply to all cities, including charter cities, and counties within the Sacramento-San Joaquin Valley. The Legislature finds and declares that flood protection in the Sacramento and San Joaquin Rivers drainage areas is a matter of statewide concern and not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution.

(f) This section shall not be construed to limit or remove any liability of a city or county prior to the amendment of the general plan except as provided in Section 8307 of the Water Code.

65865.5(a) Notwithstanding any other provision of law, after the amendments required by Section 65302.9 and 65860.1 have become effective, the legislative body of a city or county within the Sacramento-San Joaquin Valley shall not enter into a development agreement for any property that is located within a flood hazard zone unless the city or county finds, based on substantial evidence in the record, one of the following:

(1) The facilities of the State Plan of Flood Control or other flood management facilities protect the property to the urban level of flood protection in urban and urbanizing areas or the national Federal Emergency Management Agency standard of flood protection in nonurbanized areas.

(2) The city or county has imposed conditions on the development agreement that will protect the property to the urban level of flood protection in urban and urbanizing areas or the national Federal Emergency Management Agency standard of flood protection in nonurbanized areas.

(3) The local flood management agency has made adequate progress on the construction of a flood protection system which will result in flood protection equal to or greater than the urban level of flood protection in urban or urbanizing areas or the national Federal Emergency Management Agency standard of flood protection in nonurbanized areas for property located within a flood hazard zone, intended to be protected by the system. For urban and urbanizing areas protected by project levees, the urban level of flood protection shall be achieved by 2025.

Section 65962(a): Notwithstanding any other provision of law, after the amendments required by Sections 65302.9 and 65860.1 have become effective, each city and county within the Sacramento-San Joaquin Valley shall not approve any discretionary permit or other discretionary entitlement, or any ministerial permit that would result in the construction of a new residence, for a project that is located within a flood hazard zone unless the city or county finds, based on substantial evidence in the record, one of the following:

(1) The facilities of the State Plan of Flood Control or other flood management facilities protect the project to the urban level of flood protection in urban and urbanizing areas or the national Federal Emergency Management Agency standard of flood protection in nonurbanized areas.

(2) The city or county has imposed conditions on the permit or discretionary entitlement that will protect the project to the urban level of flood protection in urban and urbanizing

areas or the national Federal Emergency Management Agency standard of flood protection in nonurbanized areas.

(3) The local flood management agency has made adequate progress on the construction of a flood protection system which will result in flood protection equal to or greater than the urban level of flood protection in urban or urbanizing areas or the national Federal Emergency Management Agency standard of flood protection in nonurbanized areas for property located within a flood hazard zone, intended to be protected by the system. For urban and urbanizing areas protected by project levees, the urban level of flood protection shall be achieved by 2025.

Section 66474.5(a) Notwithstanding any other provision of law, after the amendments required by Sections 65302.9 and 65860.1 have become effective, the legislative body of each city and county within the Sacramento-San Joaquin Valley shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, for any subdivision that is located within a flood hazard zone unless the city or county finds, based on substantial evidence in the record, one of the following:

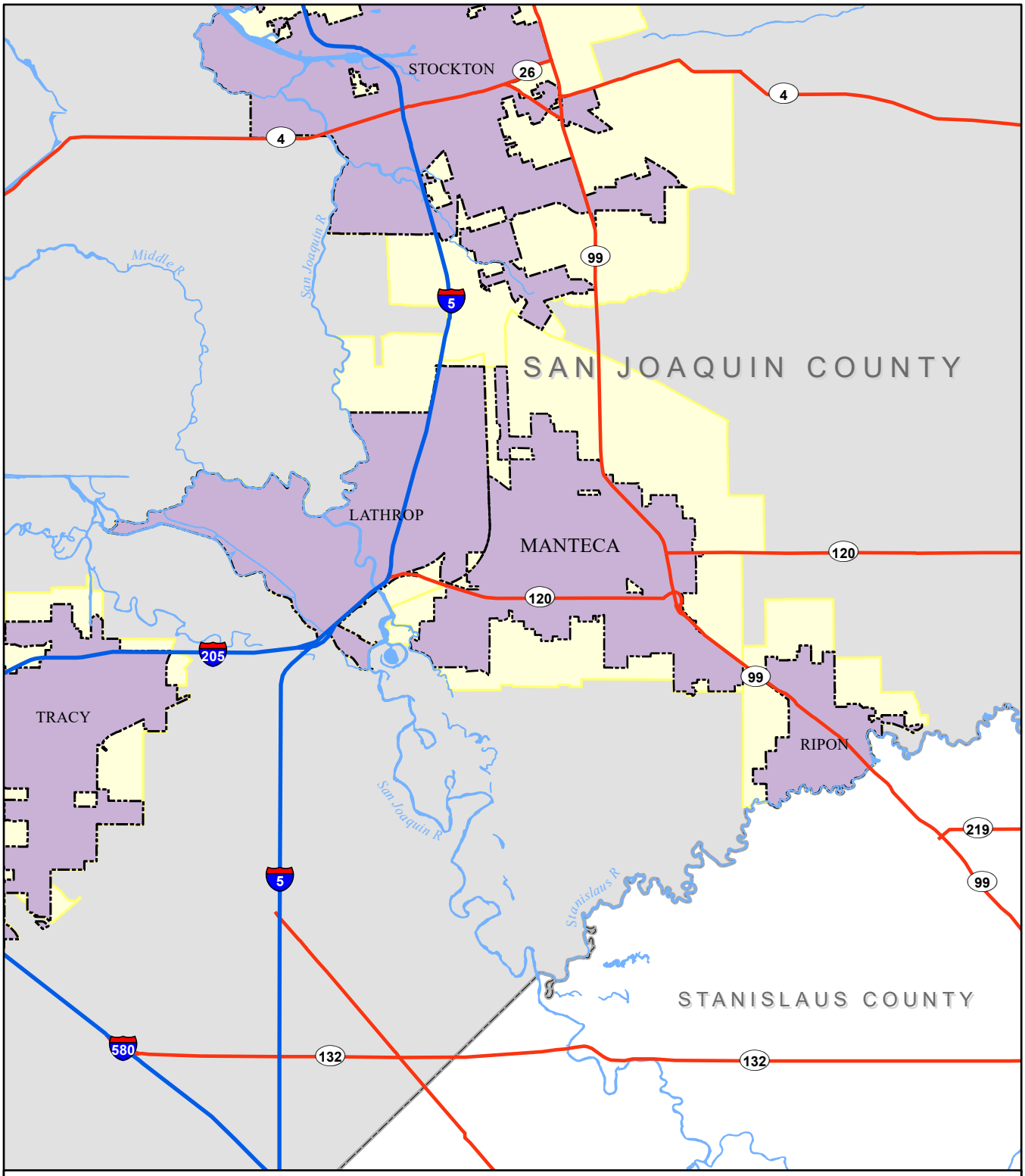
(1) The facilities of the State Plan of Flood Control or other flood management facilities protect the subdivision to the urban level of flood protection in urban and urbanizing areas or the national Federal Emergency Management Agency standard of flood protection in nonurbanized areas.

(2) The city or county has imposed conditions on the subdivision that will protect the project to the urban level of flood protection in urban and urbanizing areas or the national Federal Emergency Management Agency standard of flood protection in nonurbanized areas.

(3) The local flood management agency has made adequate progress on the construction of a flood protection system which will result in flood protection equal to or greater than the urban level of flood protection in urban or urbanizing areas or the national Federal Emergency Management Agency standard of flood protection in nonurbanized areas for property located within a flood hazard zone, intended to be protected by the system. For urban and urbanizing areas protected by project levees, the urban level of flood protection shall be achieved by 2025.

PROJECT'S RELATIONSHIP TO ONGOING FLOOD PROTECTION ACTIVITIES

The proposed project is separate from the efforts of the U.S. Army Corps of Engineers, Central Valley Flood Protection Board, and Local Reclamation Districts to improve the levees that are to provide the city with 200-year flood protection. The levee improvements necessary to reach a 200-year level of flood protection will result in construction and operational impacts on the environment. Levee improvements both ongoing and anticipated are not a part of this project; have independent utility in that they are not dependent upon approval of this project to function, and will be considered under separate authority, and are, and will be analyzed in separate required environmental studies.



MANTECA SB 5 SAFETY ELEMENT AMENDMENT

Figure 1: Regional Location Map

Legend

- City Limits
- Spheres Of Influence
- Interstate
- State Highway

N

0 1 2

Miles

1:200,000

Sources: San Joaquin County, California Spatial Information Library.
Map date: April 11, 2016.

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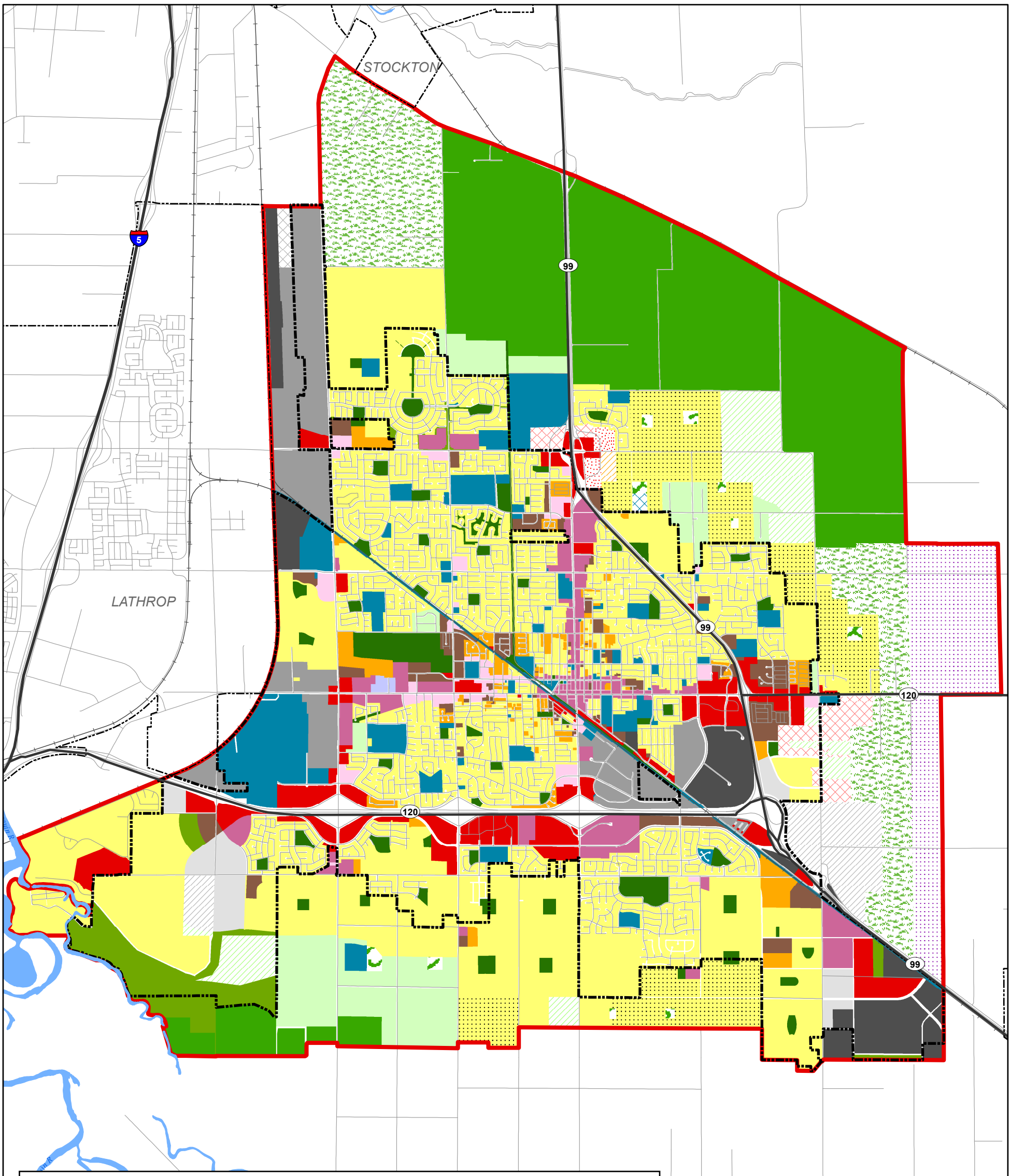

MANTECA SB 5 SAFETY ELEMENT AMENDMENT

Figure 2: General Plan Land Use Map

Sources: City of Manteca; San Joaquin County. Map date: April 11, 2016.

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ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

None of the environmental factors listed below would be potentially affected by this project, as described on the following pages.

	Aesthetics		Agriculture and Forest Resources		Air Quality
	Biological Resources		Cultural Resources		Geology/Soils
	Greenhouse Gasses		Hazards and Hazardous Materials		Hydrology/Water Quality
	Land Use/Planning		Mineral Resources		Noise
	Population/Housing		Public Services		Recreation
	Transportation/Traffic		Utilities/Service Systems		Mandatory Findings of Significance

DETERMINATION:

On the basis of this initial evaluation:

X	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Title Date

EVALUATION INSTRUCTIONS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
    a) Earlier Analysis Used. Identify and state where they are available for review.
    b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
    c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances).

Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:
   a) The significance criteria or threshold, if any, used to evaluate each question; and
   b) The mitigation measure identified, if any, to reduce the impact to less than significant.

EVALUATION OF ENVIRONMENTAL IMPACTS:

In each area of potential impact listed in this section, there are one or more questions which assess the degree of potential environmental effect. A response is provided to each question using one of the four impact evaluation criteria described below. A discussion of the response is also included.

- Potentially Significant Impact. This response is appropriate when there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries, upon completion of the Initial Study, an EIR is required.
- Less than Significant With Mitigation Incorporated. This response applies when the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact". The Lead Agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level.
- Less than Significant Impact. A less than significant impact is one which is deemed to have little or no adverse effect on the environment. Mitigation measures are, therefore, not necessary, although they may be recommended to further reduce a minor impact.
- No Impact. These issues were either identified as having no impact on the environment, or they are not relevant to the project.

ENVIRONMENTAL CHECKLIST

This section of the Initial Study incorporates the most current Appendix "G" Environmental Checklist Form, contained in the CEQA Guidelines. Impact questions and responses are included in both tabular and narrative formats for each of the 18 environmental topic areas.

I. AESTHETICS

Would the project:	***Potentially Significant Impact***	***Less Than Significant with Mitigation Incorporation***	***Less Than Significant Impact***	***No Impact***
a) Have a substantial adverse effect on a scenic vista?				*X*
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				*X*
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				*X*
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				*X*

Responses to Checklist Questions

Response a-d): no impact. The proposed project would establish new policies that would improve the city's level of flood protection, encourage cooperation with other agencies on regional approaches to flood protection, establish standards for new development to reduce flood risk, and require the City to adopt fact- based findings before development projects may be approved within the city. The project focuses on ensuring that new development would be protected from 200-year flood risk within a reasonable period of time after approval. It does not establish new requirements on proposed development projects or change any existing policies that would affect the aesthetics of any proposal. The project would not result in significant impacts on scenic resources or views. Therefore there is **no impact**.

II. AGRICULTURE AND FOREST RESOURCES

Would the project:	***Potentially Significant Impact***	***Less Than Significant with Mitigation Incorporation***	***Less Than Significant Impact***	***No Impact***
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1222(g)) or timberland (as defined in Public Resources Code section 4526)?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

Responses to Checklist Questions

Response a), b), and e): no impact. Portions of the City of Manteca are in agricultural use or are vacant agricultural land. Some of these lands have development entitlements, while others are in the development process. The 2012 Farmland Mapping and Monitoring Program identified most of the agricultural land in the south and southwest portions of the city area as important farmlands (prime or statewide soils which are presently irrigated and cultivated).

The project would not change any General Plan land use designations, Zoning Designations, or other entitlements. Therefore, conversion of farmland as a result of future flood protection projects or development projects would not occur as a direct or indirect result of the adoption of the proposed policies. Additionally, because the project does not propose development, or changes any designations of land, the project would not be in conflict with any Williamson act contracts or zoning for agricultural uses. Therefore, there is **no impact**.

III. AIR QUALITY

Would the project:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				X
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X

EXISTING SETTING

The Project site is located within the boundaries of the San Joaquin Valley Air Pollution Control District (SJVAPCD). This agency is responsible for monitoring air pollution levels and ensuring compliance with federal and state air quality regulations within the San Joaquin Valley Air Basin (SJVAB) and has jurisdiction over most air quality matters within its borders.

Responses to Checklist Questions

Responses a-e): no impact. The project would not change any General Plan land use designations, Zoning designations, or grant entitlements that would result in additional development. As stated previously any future construction and levee upgrades are not part of the proposed project and each would require its own environmental review. The proposed flood protection goals, policies, and implementation measures contained in this General Plan Amendment would not directly or indirectly increase the air quality impacts of future flood protection projects or development projects. Therefore, the proposed project would have **no impact** to air quality.

IV. BIOLOGICAL RESOURCES

Would the project:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

Responses to Checklist Questions

Response a-e): no impact. There are numerous special-status species that reside in or have habitat within the city and may be adversely affected by future development under the General Plan. Future flood protection projects or development projects that are subject to the proposed flood protection policies may result in significant impacts on biological resources. However, because the project would not change any General Plan land use designations, Zoning designations, or grant entitlements that would result in additional development, the proposed flood policies would not directly or indirectly increase the impacts of future flood protection projects or development projects on biological resources. Therefore, the project would have **no impact**.

Response f): no impact. The San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) cover projects within the City of Manteca. The project would not change any General Plan land use designations, zoning designations, or grant entitlements that would result in additional development. The proposed flood policies do not conflict with the SJMSCP, or inhibit the implementation of the plan. Therefore, the project would have **no impact**.

V. CULTURAL RESOURCES

Would the project:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

Responses to Checklist Questions

Response a- d): no impact. Future flood protection projects or development projects subject to the proposed flood protection policies may adversely affect historical, paleontological, archaeological, resources, and disturb human remains. However, the proposed project would not change any General Plan land use, or zoning designations or grant entitlements that would result in additional development. The proposed flood protection policies would not directly or indirectly increase the impacts of future flood protection projects or development projects on cultural resources. Therefore, the project would have **no impact**.

VI. GEOLOGY AND SOILS

Would the project:	*Potentially Significant Impact*	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*No Impact*
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

Responses to Checklist Questions

Response a i-iv): no impact. The project area is subject to seismic activity and thus future flood protection projects or development projects in the project area would potentially expose people or structures to geologic hazards. However, as discussed previously, the proposed project would not change any General Plan land use, or zoning designations or grant entitlements that would result in additional development. The proposed flood protection policies would not directly or indirectly create or change the impacts of future flood protection projects or development projects related to seismic events. Therefore, the project would have **no impact**.

Responses b): no impact. Mandated by Congress under the Clean Water Act, the NPDES Stormwater Program is a comprehensive two-phased national program for addressing the non-agricultural sources of stormwater discharges which adversely affect the quality of our nation's waters. The program uses the National Pollutant Discharge Elimination System (NPDES) permitting mechanism to require the implementation of controls designed to prevent harmful

pollutants, including soil erosion, from being washed by stormwater runoff into local water bodies. Construction activities in the city are governed by the General Permit 2009-0009-DWQ (amended by 2010-0014-DWQ & 2012-0006-DWQ).

The project would not directly or indirectly cause increased erosion or topsoil loss in the project area and it would not release any development project from the standard regulations requiring implementation of SWPPPs. Topsoil loss would occur as a result of grading and other surface preparation activities related to new flood protection projects or development projects. As discussed previously, the project would not change any General Plan land use or zoning designations or grant entitlements that would result in additional development. The proposed flood protection policies would not directly or indirectly increase the impacts of future flood protection projects or development projects. Therefore, the project would have **no impact**.

Response c-d): no impact. Because the city is primarily flat, slope stability, landslide, and erosion hazards do not present substantial hazards to people and property in the project area. Site-specific effects of erosion are generally limited to construction, when stormwater runoff can carry sediment into local waterways. Portions of the project area are underlain by soils that exhibit variable shrink/swell properties, ranging from low to high expansion potential, potential liquefaction, and other limiting soil conditions. The proposed policies would not change any General Plan land use designations or requirements for development projects such that the level of risk is changed in any way. Any impacts of future projects would not be a direct or indirect result of the adoption of the proposed policies. Therefore, the project would have **no impact**.

Response e): no impact. Sewer service to the project area is provided by the City. The proposed policies would not change the land uses allowable under the General Plan, so any impacts of future flood protection projects or development projects would not be either a direct or indirect result of the adoption of the proposed policies. The proposed project would not require the use of septic tanks or alternative waste water disposal systems for the disposal of waste water. Therefore, implementation of the proposed project would result in **no impact** relative to this topic.

XII. GREENHOUSE GAS EMISSIONS

Would the project:	***Potentially Significant Impact***	***Less Than Significant with Mitigation Incorporation***	***Less Than Significant Impact***	***No Impact***
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				X
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses?				X

Responses to Checklist Questions

Response a), b): no impact. Implementation of the proposed project would not result in intensification of land uses, or the addition of structures or uses that would differ from the current General Plan. The proposed project would not result in the generation of construction or operational GHG emissions. The proposed project will not generate GHGs either directly or indirectly, nor would the project conflict with any plan policy or regulation regarding GHG reduction measures. The proposed policies would not change the land uses allowable under the General Plan, so any impacts of future development projects would not be either a direct or indirect result of the adoption of the proposed policies. Therefore, implementation of the proposed project would result in **no impact** relative to GHGs.

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	***Potentially Significant Impact***	***Less Than Significant with Mitigation Incorporation***	***Less Than Significant Impact***	***No Impact***
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				
i Construction Impacts				X
ii Operational Impacts				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

Responses to Checklist Questions

Responses a-d) no impact: Flood protection projects and/or development projects subject to the proposed flood protection policies could involve the use of hazardous materials such as fuels and lubricants to operate construction equipment and vehicles. Fuels and lubricants could be accidentally released into the environment at the construction site and along haul routes, causing environmental or human exposure to these hazards. In addition, previously

undocumented hazardous materials could be encountered at project sites, potentially resulting in the exposure of construction workers, the general public, and the environment to materials that could be hazardous. However, the proposed project would not change any General Plan land use designations or other entitlements and does not result in the approval of flood protection projects or development projects. Therefore, risk of exposure to hazardous materials from future flood protection projects or development projects is not as a direct or indirect result of the adoption of the proposed policies. The project would not result in significant hazards to the public or the environment through the transport, use, disposal, or accidental release of hazardous materials. Therefore, implementation of the proposed project would have **no impact** relative to this topic.

Response e): no impact. The project would not change any General Plan land use designations or other entitlements. Therefore, safety hazards from development within an airport influence area would not be direct or indirect results of proposed project policies, and would be considered and analyzed separately when development is proposed. The project would not result in any safety hazard for people residing or working in the city. Therefore, implementation of the proposed project would have **no impact** relative to this topic.

Response f): no impact. As with item e), above, any safety hazards resulting from flood protection projects or development projects in the areas near airports would not be a direct or indirect result of proposed project policies, and would be considered and analyzed separately. The project would not result in any safety hazard relating to airports or aircraft for people residing or working in the city. Therefore, implementation of the proposed project would have **no impact** relative to this topic.

Response g): no impact. The proposed flood protection policies would require updates to emergency response plans and evacuation plans with regards to flooding. These plans and routes are expected to rely on existing roads or roads that are planned as part of the city's Capital Improvement Program or identified as future roads in the General Plan. The proposed policies would not mandate the construction of new roads. Therefore the project would have **no impact**.

Response h): no impact. The risk of wildfire is related to a variety of parameters, including fuel loading (vegetation), fire weather (winds, temperatures, humidity levels and fuel moisture contents) and topography (degree of slope). Steep slopes contribute to fire hazard by intensifying the effects of wind and making fire suppression difficult. Fuels such as grass are highly flammable because they have a high surface area to mass ratio and require less heat to reach the ignition point. The County has areas with an abundance of flashy fuels (i.e. grassland) in the foothill areas of the eastern and western portion of the County. Effects on wildland fire risks from levee vegetation management plans developed in conjunction with the U.S. Army Corps of Engineers and the reclamation districts will be addressed in the analyses of those plans. Wildland fire risks to people and structures resulting from future flood protection projects or development projects will be considered in the analysis of those projects, and are not part of this analysis. The project would not change any General Plan land use designations or other entitlements that might result in exposure of more residents and businesses to fire hazard. Therefore, the project would not result in an increase in wildland fire hazards and there is **no impact**.

IX. HYDROLOGY AND WATER QUALITY

Would the project:	***Potentially Significant Impact***	***Less Than Significant with Mitigation Incorporation***	***Less Than Significant Impact***	***No Impact***
a) Violate any water quality standards or waste discharge requirements?				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X
f) Otherwise substantially degrade water quality?				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

Responses to Checklist Questions

Responses a) and f): no impact. Future development will be subject to the water quality standards and any waste discharge requirements established under the Federal Clean Water Act and the state Porter-Cologne Act, and enforced by the State Water Quality Control Board and Central Valley Regional Water Quality Control Board. The project would not change any General Plan land use designations or other entitlements. Therefore, water quality impacts from future flood protection projects or development projects would not occur as a direct or indirect

result of the adoption of the proposed policies. All future projects will have to comply with any applicable state, federal, and local laws, regulations, and policies relating to water quality. Therefore, implementation of the proposed project would have **no impact** relative to this topic.

Response b): no impact. The City's current Urban Water Management Plan concludes that the city will have sufficient water supply during normal and multiple dry years to serve all currently planned development allowed by the General Plan. The project would not change any General Plan land use designations or grant entitlements that would result in additional development. There is no mechanism by which the proposed project would result in impacts on water supply. Therefore, implementation of the proposed project would have **no impact** relative to this topic.

Response c-e): no impact. Future development will result in the alteration of drainage patterns within the Planning Area. Future projects will be required as part of the approval process to accommodate drainage either onsite or at existing or planned drainage facilities. The project would not change any General Plan land use designations or grant entitlements that would result in additional development. There is no mechanism by which the proposed project would result in impacts in these areas of concern. Therefore, implementation of the proposed project would have **no impact** relative to this topic.

Response g), h), and i): no impact. The project would reduce flood hazards by preventing the placement of new housing in urban Areas within a 100-year floodplain. The purpose of the proposed policies is to ensure conformance between the General Plan and State Planning Law provisions for reducing potential flood hazards. Pursuant to State Planning Law, the proposed policies would also require the city to limit development that would expose it to 200- year flood hazards. This exceeds the provision of the California Environmental Quality Act (CEQA) Appendix G checklist. Additionally, the project would not change any General Plan land use designations or grant entitlements that would result in additional development, and the proposed project does not include or propose any housing within the Planning Area. Therefore, implementation of the proposed project would have **no impact** relative to this topic.

Response j): no impact. The Project site is subject to flood inundation as a result of dam failure from reservoirs/lakes. Dam failure is generally a result of structural instability caused by improper design or construction, instability resulting from seismic shaking, or overtopping and erosion of the dam. Larger dams that are higher than 25 feet or with storage capacities over 50 acre-feet of water are regulated by the California Dam Safety Act, which is implemented by the California Department of Water Resources, Division of Safety of Dams (DSD). The DSD is responsible for inspecting and monitoring these dams. The Act also requires that dam owners submit to the California Office of Emergency Services inundation maps for dams that would cause significant loss of life or personal injury as a result of dam failure. The County Office of Emergency Services is responsible for developing and implementing a Dam Failure Plan that designates evacuation plans, the direction of floodwaters, and provides emergency information. Regular inspection by DSD and maintenance by the dam owners ensure that the dams are kept in safe operating condition. As such, failure of these dams is considered to have an extremely low probability of occurring and is not considered to be a reasonably foreseeable event. The project would not change any General Plan land use designations or grant entitlements that would result in additional development. There is no mechanism by which the proposed project would result in impacts in this area of concern.

The Project site is subject to flood inundation as a result of levee failure. The levees protecting the Project site are maintained by Reclamation District 0017 (RD 17). The RD 17 levee system

was originally constructed in the 1960's and substantially upgraded in 1988. In 1990 the RD 17 levee was accredited by FEMA, which removed large areas of Stockton, Lathrop, Manteca and the County from the 100-year floodplain.

Following the accreditation in 1990, standards for flood protection have been changing and in May 2007 FEMA extended an offer of a Provisionally Accredited Levee (PAL) Agreement for the RD 17 levee system. A PAL is a levee that meets the FEMA requirements for flood protection but requires additional supporting documentation. Since August 2007, RD 17 has been implementing improvements to the levee system and constructed a seepage berm (a bank of earth placed against the existing levee) along the east levee of the San Joaquin River with the RD 17 area. The purpose of these improvements is to meet the flood protection requirements of FEMA and maintain the levee accreditation. FEMA has determined based on the current condition of the levee and the additional supporting documentation, that the RD 17 levee will maintain its accreditation. Regular inspection and maintenance by RD 17 ensure that the levees are kept in safe operating condition. As such, failure of the levee is considered to have an extremely low probability of occurring and is not considered to be a reasonably foreseeable event. Additionally, the project would not change any General Plan land use designations or grant entitlements that would result in additional development. There is no mechanism by which the proposed project would result in impacts in this area of concern. Additionally, the proposed project includes policies that would be beneficial to levee protection in the effort to secure 200-year flood protection for urban areas.

A tsunami is a sea wave caused by a submarine earthquake, landslide, or volcanic eruption. A tsunami can cause catastrophic damage to shallow or exposed shorelines. The city is approximately 50 miles from San Francisco Bay and 70 miles from the coast, which is sufficiently distant to preclude effects from a tsunami.

Seiches are changes or oscillations of water levels within a confined water body. Seiches are caused by fluctuation in the atmosphere, tidal currents or earthquakes. The effect of this phenomenon is a standing wave that would occur when influences by the external causes. The city is not adjacent to any lakes or semi enclosed bodies of water that pose a risk of a seiche conditions.

A mudflow is a type of mass wasting or landslide, where earth and surface materials are rapidly transported downhill under the force of gravity. Mudflow events are caused by a combination of factors, including soil type, soil profile, precipitation, and slope. There is no mechanism by which the proposed project would result in impacts in this area of concern.

The project would not change any General Plan land use designations or grant entitlements that would result in additional development. There is no mechanism by which the proposed project would result in impacts in these areas of concern. Additionally, the proposed project includes policies that would be beneficial to flood protection within the Planning Area. The proposed project would not result in the exposure people or structures to a risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam, seiche, tsunami, or mudflow. Therefore, implementation of the proposed project would have **no impact** relative to this topic.

X. LAND USE AND PLANNING

Would the project:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Responses to Checklist Questions

Response a): no impact. The project would not change any General Plan land use designations or grant entitlements that would result in additional development. There is no mechanism by which the proposed project would result in impacts related to the division of an established community. Therefore, implementation of the proposed project would have **no impact** relative to this topic.

Response b): no impact. The key planning documents that are directly related to the proposed project or that establish a framework to implement the proposed project, include:

- City of Manteca General Plan
- City of Manteca Zoning Ordinance

The project would not change any General Plan land use or zoning designations. However, the proposed project would require amendments to the land use element of the General Plan, and updates to the City's zoning code. However, updates to these documents provide provisions as required by SB-5, and do not conflict with policies and regulations adopted for the purpose of avoiding or mitigating an environmental effect, rather they are policies and requirements aimed specifically at increasing flood protection, and emergency response to flood protection throughout the City. All existing City development standards and zoning requirements adopted for the purpose of avoiding or mitigating an environmental effect would remain in effect. The project will be consistent with the intent and purpose of the Zoning Code, and General Plan. Therefore, implementation of the proposed project would have **no impact** relative to this topic.

Response c): no impact. As described in the Biological Resources section; the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) cover projects within the City of Manteca. The project would not change any General Plan land use designations, zoning designations, or grant entitlements that would result in additional development, the proposed flood policies presented within this General Plan Amendment do not conflict with the SJMSCP, or inhibit the implementation of the plan. Therefore, the project would have **no impact** relative to this topic.

XI. MINERAL RESOURCES

Would the project:	***Potentially Significant Impact***	***Less Than Significant with Mitigation Incorporation***	***Less Than Significant Impact***	***No Impact***
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Responses to Checklist Questions

Response a), and b): no impact. The proposed project would not change any General Plan land use designations, zoning designations, or grant entitlements that would result in additional development. There is no mechanism by which the proposed project would result in impacts related to mineral resources. Therefore, implementation of the proposed project would have **no impact** relative to this topic.

XII. NOISE

Would the project result in:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Responses to Checklist Questions

Responses a-d): no impact. Future development within the city would increase noise levels where it results in an increase in the intensity of land uses or increases traffic. In addition, there would be temporary construction noise resulting from new development. Because the project would not change any General Plan land use designations or grant entitlements that would result in additional development, the project would not result in elevated noise levels, generate vibration, or increase ambient noise levels. Therefore, the project would have **no impact**.

Responses e), and f): no impact. The project does not change any General Plan land use designations or grant entitlements that would result in additional development, and therefore, would not result in any additional people being located within any airport land use area or the vicinity of private airstrips. Implementation of the proposed project would result in **no impact** relative to this topic.

XIII. POPULATION AND HOUSING

Would the project:	***Potentially Significant Impact***	***Less Than Significant with Mitigation Incorporation***	***Less Than Significant Impact***	***No Impact***
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Responses to Checklist Questions

Response a-c): no impact. The project does not propose any housing that would result in direct population growth. Additionally, the existing adopted General Plan establishes the city's policies for future land uses and the pattern of future development. While development projects that would be subject to the proposed flood protection policies may result in additional population growth; that growth would occur in compliance with the existing General Plan. Any individual future projects would have to be consistent with the General Plan and are subject to environmental review under CEQA. Because the project would not change any General Plan land use designations or grant entitlements that would result in additional development, the project would not in itself induce growth either directly or indirectly. The proposed flood protection policies do not directly or indirectly displace existing population or displace housing units because they would not change any General Plan land use designations or grant entitlements that would result in additional development or require the removal of any existing housing. The project would not result in impacts on population and housing. Therefore, the project would have **no impact**.

XIV. PUBLIC SERVICES

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?				X
Police protection?				X
Schools?				X
Parks?				X
Other public facilities?				X

Responses to Checklist Questions

Responses a): no impact. Development projects subject to the proposed policies of the General plan Amendment may increase demands placed on public services, and as a result require the construction or expansion of governmental facilities. However, the project would not change any General Plan land use designations or grant entitlements that would result in additional development and therefore would not result in impacts on public services by either increasing demand or mandating the construction of additional facilities. The proposed policies would direct that critical facilities be planned and designed taking into account flood hazards within the city to ensure that they can continue to operate in the event that there is flooding within the city. These policies do not result in substantial adverse physical impacts associated with the provision of facilities, or need for new, or physically altered governmental facilities, in order to maintain acceptable service ratios; rather the proposed policies focus on long term planning for facilities that provide safety and operational integrity during flooding events. Impacts to future critical facilities subject to the proposed policies within the proposed project would be considered beneficial. Any site specific impacts would be required to be addressed under CEQA as new facilities are proposed. Therefore, the project would have **no impact**.

XV. RECREATION

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Responses to Checklist Questions

Responses a-b): **no impact.** Development projects subject to the proposed flood protection policies may increase the use of existing parks or other recreational facilities requiring the construction or expansion of recreational facilities. However, as noted previously, the project would not change any General Plan land use designations or grant entitlements that would result in additional development. The proposed project will not result in intensification of land uses, or the addition of structures or uses that would differ from the current General Plan. Therefore, implementation of the proposed project would have **no impact** on recreation and recreational facilities.

XVI. TRANSPORTATION/TRAFFIC

Would the project:	***Potentially Significant Impact***	***Less Than Significant with Mitigation Incorporation***	***Less Than Significant Impact***	***No Impact***
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				X
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

Responses to Checklist Questions

Responses a) and b): no impact. The proposed project focuses on ensuring that new development would be protected from flood risk including 200-year flood events within a reasonable period of time after approval. The proposed flood protection policies would also require planning to ensure that evacuation routes are identified. However, the project would not change any General Plan land use designations, grant entitlements, or require any road improvements beyond those already contemplated in the adopted General Plan. As a result, it would not result in additional development and therefore, would not result in any traffic impacts. Implementation of the proposed project would have **no impact.**

Responses c): no impact. The proposed project would not change any General Plan land use designations or grant entitlements that would result in additional development and therefore would not result in any changes in air traffic patterns. Therefore, implementation of the proposed project would have **no impact.**

Responses d): no impact. The proposed project would not result in any hazards from design features or incompatible uses because it would not change existing development standards or grant entitlements that would result in additional development. Therefore, implementation of the proposed project would have **no impact.**

Responses e): no impact. The proposed flood protection policies would require coordination of adequate routes for emergency response and evacuation during flood emergencies, thereby

improving emergency response. The project does not propose and would not require any road improvements beyond those already contemplated in the adopted General Plan. Therefore, implementation of the proposed project would have **no impact**.

Responses f): no impact. The proposed project does not conflict with any policies from the General Plan Transportation Element. The project does not include the construction of structures or introduce new uses to the project area. The project would not conflict with any public transit, bicycle, or pedestrian facilities because it does not propose to change any related General Plan policies or interfere with existing or planned facilities and it would not change any General Plan land use designations or grant entitlements that would result in additional development. Therefore, implementation of the proposed project would have **no impact** relative to this topic.

XVII. UTILITIES AND SERVICE SYSTEMS

Would the project:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the providers existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the projects solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

Responses to Checklist Questions

Responses a-d): no impact. As previously discussed in item IX (Hydrology and Water Quality), new flood protection facilities and infrastructure would be built to accommodate future development under the adopted General Plan. However, the project would not change any General Plan land use designations or grant entitlements beyond those already contemplated in the adopted General Plan. As a result, the project would not result in any impacts on these utilities and service systems. The proposed flood protection policies would not change the General Plan in any way that would allow development or increased demand for service, resulting in the exceedance of standards, the construction of new facilities, or result in the consumption of service capacity.

Response e-g) no impact: As future development occurs in the city, additional pipelines, lift stations, and related systems will be installed as needed to transport sewage to the water treatment facility. The proposed flood protection policies would not change the General Plan in any way that would allow development or increased demand for service, resulting in the exceedance of standards, the construction of new facilities, or result in the consumption of

service capacity. Any individual future projects would have to be consistent with the General Plan and are subject to environmental review under CEQA.

Additionally, the proposed flood protection policies would not change the General Plan or grant development entitlements in any way that would allow development or increased demand for solid waste disposal services. Therefore, the project would not result in the exceedance of service capacity. Implementation of the proposed project will have **no impact** relative to this topic.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

Responses to Checklist Questions

Response a-c): no impact. The proposed project would establish new policies that would improve the city's level of flood protection, encourage cooperation with other agencies on regional approaches to flood protection, establish standards for new development to reduce flood risk, and require the City to adopt fact- based findings regarding 200-year flood protection levels before development projects may be approved within the city. The project focuses on ensuring that new development will be protected from 200-year flood risk within a reasonable period of time after approval. Development projects that would be subject to the proposed policy may have impacts that could degrade the quality of the environment, be cumulatively considerable, or cause adverse effects on human beings, but those impacts would be separate from this project. Any individual future flood protection or development projects would have to be consistent with the General Plan and are subject to environmental review under CEQA.

The proposed project would not change any General Plan land use designations or grant entitlements that would result in additional development. Therefore, the proposed flood policies would not directly or indirectly result in environmental impacts and would not contribute to the cumulative impacts of future development projects. Therefore implementation of the proposed project would have **no impact** with regard to these environmental topics.

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