

**CITY OF MANTECA
ZONING CODE UPDATE
FINAL
SUPPLEMENTAL ENVIRONMENTAL IMPACT
REPORT**

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TABLE OF CONTENTS

1	Introduction	1-1
1.1	INPUT ON THE DRAFT SEIR	1-1
1.2	PUBLIC REVIEW OF THE DRAFT SEIR.....	1-1
1.3	USE OF THE FINAL SEIR	1-2
2	Comments and Responses on the City of Manteca Zoning Code Update Draft SEIR.....	2-1
3	ERRATA	3-1

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1 INTRODUCTION

The City of Manteca (City) prepared a Draft Supplemental Environmental Impact Report (SEIR) in compliance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations Section 15000 et seq.). As provided in CEQA Guidelines Section 15163, the Draft SEIR provides additional information necessary to address proposed revisions to the City's Zoning Code to revise the existing Mixed Use Commercial Zoning District (CMU) and create a new Mixed Use Downtown Zoning District (DMU) to implement the Downtown (DW) General Plan land use designation ("Zoning Code Update"; "the proposed project") supplementing the previously certified 2023 recirculated General Plan Update Environmental Impact Report and Revised Addendum to the General Plan Update EIR (collectively referred to as the "General Plan Update EIR"; State Clearinghouse: 2020019010).

The Draft SEIR and this Final SEIR provide all information necessary to make the previous EIR adequate for the proposed project.

1.1 INPUT ON THE DRAFT SEIR

The Draft SEIR was prepared in compliance with the California Environmental Quality Act (CEQA) of 1970 (Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.).

The lead agency is the public agency with primary responsibility over the proposed project. In accordance with CEQA Guidelines Section 15051(b)(1), "the lead agency will normally be the agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose." The City of Manteca, as the lead agency, directed the preparation of the Draft SEIR to evaluate the environmental impacts of implementation of the proposed project.

To assist the City in determining the focus and scope of analysis for this SEIR, pursuant to the provision of Section 15082 of the CEQA Guidelines, the City circulated a Notice of Preparation (NOP) starting May 20, 2024 and ending June 18, 2024. The NOP is a brief notice sent by the lead agency to inform the public, interested parties, responsible agencies, trustee agencies, and potentially affected federal, state, and local agencies that the lead agency plans to prepare an EIR – in this case, a SEIR. Appendix A of the Draft SEIR includes each comment received on the NOP. NOP comments have been considered and addressed in the respective technical sections in Chapter 3, "Impact Analysis," of the Draft SEIR.

1.2 PUBLIC REVIEW OF THE DRAFT SEIR

The Draft SEIR (State Clearinghouse Number: 2024050901) was received by the State Clearinghouse and circulated for a shortened public review period of 30 days from August 14, 2024 to September 13, 2024. Detailed information is available online at: <https://www.manteca.gov/departments/development-services/planning/planning-division-documents/-folder-385>

In accordance with Section 15088 of the CEQA Guidelines, the City, as the lead agency, has not prepared written responses as no comments were received on the Draft SEIR during the public review period.

1.3 USE OF THE FINAL SEIR

The Final SEIR allows the public and the City decision makers an opportunity to review revisions to the Draft SEIR and the Responses to Comments. The Final SEIR serves as the environmental document to inform the City Council's consideration of the proposed project.

As required by Section 15090(a)(1)-(3) of the CEQA Guidelines, a lead agency, in certifying a Final EIR, must make the following three determinations:

1. The Final EIR has been completed in compliance with CEQA.
2. The Final EIR was presented to the decision-making body of the lead agency, and the decision-making body reviewed and considered the information in the Final EIR prior to approving the project; and
3. The Final EIR reflects the lead agency's independent judgment and analysis.

As required by Section 15091 of the CEQA Guidelines, no public agency shall approve or carry out a project for which an EIR has been certified that identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings (Findings of Fact) for each of those significant effects, accompanied by a brief explanation of the rationale for each finding supported by substantial evidence in the record.

The possible findings are:

1. Changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect, as identified in the Final EIR.
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

A supplemental environmental impact report is used to provide additional information needed to a proposed project that has a certified environmental impact report. The Draft SEIR provides additional information needed to address the proposed changes to the previously certified 2023 recirculated General Plan Update Environmental Impact Report and Revised Addendum to the General Plan Update EIR (collectively referred to as the "General Plan Update EIR").

Section 15163 of the CEQA Guidelines states that a lead agency may choose to prepare a supplement to an EIR rather than a subsequent EIR if:

- (1) any of the conditions described above for Section 15162 would require the preparation of an subsequent EIR, and

- (2) only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.

Section 15163 of the CEQA Guidelines also identifies that a supplemental EIR need contain only the information necessary to make the previous EIR adequate for the project as revised. A supplemental EIR may also be circulated for public and agency review by itself without recirculating the previous draft or final EIR.

The Draft SEIR and this Final SEIR supplement the previously certified 2023 recirculated General Plan Update Environmental Impact Report and Revised Addendum to the General Plan Update EIR (collectively referred to as the "General Plan Update EIR"; State Clearinghouse: 2020019010). The General Plan Update EIR continues to have utility in addressing direct, reasonably foreseeable indirect, and cumulative impacts associated with implementing the General Plan. Implementing measures imposed as a part of the General Plan Update EIR continue to apply to implementation of the proposed Zoning Code Update.

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2 COMMENTS AND RESPONSES ON THE CITY OF MANTECA ZONING CODE UPDATE DRAFT SEIR

No comments were received on the Draft SEIR during the public review period. In conformance with California Environmental Quality Act (CEQA) Guidelines Section 15088 and Section 15132, no written responses have been prepared as no comments were received on the Draft SEIR.

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3 ERRATA

In accordance with Section 15088 of the CEQA Guidelines, the City, as the lead agency, has not prepared written responses as no comments were received on the Draft SEIR during the public review period. Therefore, there are no revisions proposed to the Draft SEIR in response to comments received during the public review period. There are also no technical changes, editorial changes, or any other changes recommended by City staff.

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