



ROB BONTA
Attorney General

State of California
DEPARTMENT OF JUSTICE

1515 CLAY STREET, 20TH FLOOR
P.O. BOX 70550
OAKLAND, CA 94612-0550

Public: (510) 879-1300
Telephone: (510) 879-0815
Facsimile: (510) 622-2170
E-Mail: Rica.Garcia@doj.ca.gov

August 4, 2021

Via E-mail

J.D. Hightower
Deputy Director of Planning for City of Manteca
City of Manteca
1215 West Center Street, Suite 201
Manteca, CA 95337
jhightower@ci.manteca.ca.us

RE: **Mitigated Negative Declaration for the Spreckels Distribution Center
(SCH #2021050017)**

Dear Mr. Hightower:

Thank you for the opportunity to provide comments on Manteca's Initial Study and Mitigated Negative Declaration ("MND") for the Spreckels Distribution Center ("the Project"). After reviewing the MND, the California Attorney General's Office believes the MND does not comply with the California Environmental Quality Act ("CEQA") due to its insufficient project description, flawed environmental impact assessments, and inadequate mitigation measures. We respectfully submit these comments to urge Manteca to conduct further environmental analysis in an environmental impact report to ensure the Project's impacts are understood, disclosed, and mitigated to the maximum extent feasible.¹

I. THE PROJECT SEEKS TO CONSTRUCT A WAREHOUSE FACILITY IN A HIGHLY POLLUTED COMMUNITY

The Project would build a 304,120 square foot warehouse distribution facility and associated developments on a 14.83-acre project site at 407 Spreckels Avenue. To support the

¹ The Attorney General submits these comments pursuant to his independent power and duty to protect the environment and natural resources of the State. (See Cal. Const., art. V, § 13; Gov. Code, §§ 12511, 12600-12612; *D'Amico v. Bd. of Medical Examiners* (1974) 11 Cal.3d 1, 14-15.)

warehouse distribution activities, the Project will have 56 truck dock doors, 180 standard parking spaces, six accessible parking spaces, and 63 truck trailer spaces. Further, the Project will generate 633 vehicle trips per day, which would potentially include trips from refrigerated and unrefrigerated diesel trucks.

Warehouses attract a significant number of heavy-duty trucks that run on diesel fuel, creating air pollution, noise, and traffic impacts that burden nearby communities. Among other pollutants, diesel trucks emit nitrogen oxide (“NO_x”)—a primary precursor to smog formation that causes respiratory problems like asthma, bronchitis, lung irritation, and lung cancer—and diesel particulate matter (“PM”)—which can lead to cancer, heart disease, respiratory illnesses, and premature death.² Trucks and on-site loading activities can also be loud, bringing disruptive noise levels during all hours of the day and may cause hearing damage for residents and workers after prolonged exposure.³ Further, the thousands of daily truck and passenger car trips that will be generated by the Project’s warehouse will contribute to traffic jams, deterioration of road surfaces, and traffic accidents in Manteca.

Sensitive receptors surround the Project site. The Project is located just 40 feet away from single-family residences to the west. Medical facilities, including the Valley Medical Center, Manteca Surgery Center, and Yosemite Dental Arts, and additional single-family homes are located immediately north of the Project. The Project is also close to other sensitive receptors, including the Manteca BMX Park (approximately 0.3 mile to the south), Lincoln Park and Lincoln Pool (approximately 0.35 mile to the north), Creative Kids Childcare (approximately 0.5 mile to the north), and Lincoln Elementary School (approximately 0.55 mile to the north). The areas east and south of the Project site include at least eight warehouse distribution centers.

The diverse and relatively low-income neighborhoods surrounding the Project already face disproportionately high levels of pollution and other burdens. According to the Draft CalEnviroScreen 4.0, the California Environmental Protection Agency’s screening tool that ranks each census tract in the state for pollution and vulnerability, the Project’s census tract ranks worse than 84 percent of the rest of the state for pollution burden and worse than 79 percent of the state for population vulnerability.⁴ The census tract is in the 81st percentile for diesel particulate matter pollution, 92nd percentile for pesticides exposure, and 97th percentile for

² California Air Resources Board (“CARB”), “Nitrogen Dioxide & Health,” <https://ww2.arb.ca.gov/resources/nitrogen-dioxide-and-health>; CARB, Summary: “Diesel Particulate Matter Health Impacts,” <https://ww2.arb.ca.gov/resources/summary-diesel-particulatematter-health-impacts>; Office of Environmental Health Hazard Assessment (“OEHHA”) and American Lung Association of California, “Health Effects of Diesel Exhaust,” <https://oehha.ca.gov/media/downloads/calenviroscreen/indicators/diesel4-02.pdf>.

³ See, e.g., “Noise Sources and Their Effects,”

<https://www.chem.purdue.edu/chemsafety/Training/PPETrain/dblevels.htm> (stating that a diesel truck moving 40 miles per hour, 50 feet away, produces 84 decibels of sound).

⁴ OEHHA, “Draft CalEnviroScreen 4.0,” <https://oehha.ca.gov/calenviroscreen/report/draft-calenviroscreen-40>.

drinking water contamination. Residents of this community also experience significant health risks associated with pollution—people that live in the Project’s census tract are in the 91st percentile for asthma and 94th percentile for cardiovascular rates. Further, approximately 72 percent of the population has an income that is less than two times the federal poverty level.

II. THE MND FAILS TO COMPLY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The MND fails to comply with CEQA on several fronts, including providing an inadequate project description that does not take into account all of the potential uses for the Project. The MND also includes faulty air quality, greenhouse gas, and land use impacts analyses that underestimate the impacts to nearby sensitive receptors. Finally, once the City has adequately analyzed the Project’s significant impacts, it should include all feasible mitigation measures as required by CEQA.

A. The Project Description is Insufficient

The CEQA Guidelines require an initial study to describe a proposed project. (CEQA Guidelines, § 15063, subd. (d)(1).) Project descriptions should contain all details that are essential components of a project since “an accurate project description is necessary for an intelligent evaluation of the potential environmental effects of a proposed activity.” (*San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 731 [quotation omitted].) In this case, the MND’s project description does not adequately describe the Project because it omits key details that are essential for accurately assessing the Project’s environmental impacts and is inconsistent with other parts of the MND.

The Transportation Impact Analysis Report for the Project states that the Project could include high-cube warehouse uses. However, the MND’s project description does not describe the Project’s potential for high-cube warehouse uses, including which types of activities will occur in the Project’s warehouse. These details are important since high-cube warehouses generate significantly more traffic, noise, and air quality impacts than other types of warehouses, and the scope of impacts vary depending on the type of operations that occur at the warehouses. According to the Institute of Transportation Engineers, a high-cube warehouse can serve as a fulfillment center, parcel hub, cold storage facility, transload facility, or a short-term storage building.⁵ Thus, the project description should clearly state whether the Project will have high-cube warehouse uses, how much space will be used for high-cube warehouse activities, and the types of operations that will occur in these areas. Moreover, as discussed further below, if the Project could involve high-cube warehouse activities, the environmental impacts of these activities must be fully analyzed by the City.

⁵ Institute of Transportation Engineers, “High-Cube Warehouse Vehicle Trip Generation Analysis,” at p. 3 (Oct. 2016), <https://www.ite.org/pub/?id=a3e6679a%2De3a8%2Dbf38%2D7f29%2D2961becdd498>.

Second, the analysis of noise impacts in the MND considers the potential for refrigerated trucks utilizing the Project's 56 loading bays, but the MND project description does not include any discussion of whether the Project will allow for cold storage. (MND at p. 59.) If the Project's building has cold storage, the Project's environmental impacts could be dramatically greater since refrigerated trucks produce substantially more air pollution and greenhouse gas emissions than trucks that visit standard storage facilities. As explained by CARB:

Transport Refrigeration Units (TRUs) are refrigeration systems powered by diesel internal combustion engines designed to refrigerate or heat perishable products that are transported in various containers, including semi-trailers, truck vans, shipping containers, and rail cars. Although TRU engines are relatively small, ranging from 9 to 36 horsepower, significant numbers of these engines congregate at distribution centers, truck stops, and other facilities, resulting in the potential for health risks to those that live and work nearby.⁶

This critical detail should be disclosed in the MND and the environmental impacts of this type of warehouse use must be fully analyzed.

B. The City's Air Quality and Greenhouse Gas Emissions Analyses are Insufficient

1. The MND's Analysis of Air Quality Impacts is Insufficient

The purpose of CEQA is to ensure that a lead agency fully evaluates, discloses, and, whenever feasible, mitigates a project's significant environmental effects. (Pub. Resources Code, § 21002.1.) To comply with CEQA, a lead agency must make "a reasoned and good faith effort to inform decision makers and the public" about a project's potential impacts. (*See Berkeley Keep Jets Over the Bay Com. v. Bd. of Port Comrs.* (2001) 91 Cal.App.4th 1344, 1367, as modified on denial of rehearing [Sept. 26, 2001].) If a lead agency fails to analyze a certain aspect of a project's potential environmental impact, a court may conclude that the limited facts in the record support a fair argument that the project may have a significant environmental impact. (*Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 311.) CEQA's requirements for full disclosure are not satisfied if an environmental impacts analysis uses outdated models and inaccurate information.

Here, the MND fails to disclose whether the Air Quality and GHG Modeling analysis utilizes CARB's 2014, 2017, or 2021 Emission Factors Model ("EMFAC") to calculate air emissions from mobile sources. The difference between the versions is significant since EMFAC 2021 uses the latest scientific data available to evaluate environmental impacts.⁷ Considering the serious air quality problems already present in the communities surrounding the Project, it is essential for the MND to provide accurate estimates of how the Project will

⁶ CARB, "Transport Refrigeration Unit (TRU or Reefer) Regulation," <https://ww3.arb.ca.gov/msprog/truckstop/trus/trus.htm>.

⁷ CARB, "EMFAC," <https://arb.ca.gov/emfac>.

contribute to air pollution. If the City has not done so, it should use the EMFAC 2021 model to project the Project's mobile source emissions to comply with CEQA's good faith disclosure requirements.

Further, the MND's air quality assessment fails to analyze and take into account the potential for different types of uses in CalEEMod, even though the MND in other places indicates the Project could allow additional uses, such as refrigerated warehouse uses that typically have more serious environmental impacts. In order to account for the variety of potential uses, the air quality assessment should consider adjusting the input variables in CalEEMod to reflect the most environmentally-intensive uses. As previously discussed, the MND's Traffic Impact Analysis states that the Project will include a high-cube warehouse area, but the air quality assessment fails to analyze the environmental impacts from this particular land use type. Further, the MND's analysis of noise impacts considers the potential for refrigerated trucks accessing the Project, but the air quality assessment does not analyze impacts from a cold storage warehouse. In order to take into account of different warehouse subtypes in CalEEMod, the analysis should adjust truck trip rates, vehicle type proportions, truck trip length, and other input variables. If these more intense warehouse uses are permitted, the City must analyze, disclose, and mitigate their significant environmental impacts pursuant to CEQA.

Moreover, the MND's Air Quality Assessment is defective because it relies on an arbitrary trip length of seven miles to estimate emissions from mobile sources. The Project includes warehouse and manufacturing uses, where heavy-duty trucks are likely to be receiving and hauling goods to and from the Project site to destinations all over California and potentially out of the State. Most of these trips are much farther than seven miles. The MND should calculate vehicle trip lengths based on the actual likely destinations of vehicles visiting the Project and explain the basis for the chosen trip lengths.

Finally, despite acknowledging that the nearest sensitive receptors are only 40 feet from the site, the MND summarily concludes that the Project would have less than significant impacts to sensitive receptors. (MND at p. 25.) The MND explains that the likelihood that sensitive receptors will be exposed to high concentrations of diesel particulate matter ("DPM") is low because the construction activities are short-term and are subject to San Joaquin Valley Air Pollution Control District rules and regulations. (MND at p. 23.) However, the MND does not fully evaluate or disclose the potential concentrations of DPM from construction activities. Furthermore, the MND's analysis of potential concentrations of DPM from the Project's operations fails to disclose whether or not it takes into account the potential for refrigerated trucks to access the Project. As previously mentioned, the MND's analysis of noise impacts indicated the potential for refrigerated trucks at the Project. Given that tenants of the proposed warehouse are unknown at this time, the City should analyze the potential for more intense uses.

2. The MND Fails to Analyze the Project's Cumulative Air Quality Impacts

"One of the most important environmental lessons evident from past experience is that environmental damage often occurs incrementally from a variety of small sources." (*Kings Cty.*

Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692, 720.) Consequently, the CEQA Guidelines mandate all assessments of environmental impacts to include an analysis of cumulative impacts that “take[s] account of the whole action involved.” (CEQA Guidelines, § 15355, Appendix G.)

Despite inclusion of a cumulative air quality impact checklist question, the MND provides no analysis of cumulative air quality impacts. Relying on California Code of Regulations Title 14, Section 15064, subd. (h)(3), the MND asserts that a lead agency may determine that a project’s incremental contribution to a cumulative effect is not cumulatively considerable if the project complies with a previously approved plan. Thus, because the MND finds that the Project in isolation would not exceed the San Joaquin Valley Air Pollution Control District’s (“SJVAPCD”) Small Project Analysis Levels (“SPAL”), it concludes that its air quality impacts—including its cumulative impacts—would be less than significant. (MND at p. 22.) However, as discussed in the SJVAPCD’s Guidance for Assessing and Mitigating Air Quality, if a project is below applicable significance thresholds, that does not indicate that the project cannot be cumulatively significant.⁸ Further, California Code of Regulations Title 14, Section 15064, subd. (h)(3) states that if a lead agency relies on compliance with a plan, regulation, or program to determine the Project’s cumulative impacts, the lead agency should explain how implementing the particular requirements in the plan, regulation, or program ensures that the Project’s incremental contribution to the cumulative effect is not cumulatively considerable. However, the MND does not explain how compliance with the SJVAPCD’s SPAL ensures that the Project’s impacts are not cumulatively considerable.

An MND must “[e]xplain[] the reasons for determining that potentially significant effects would not be significant.” (CEQA Guidelines, § 15063, subd. (c)(3)(C).) A proper cumulative impacts analysis considers the incremental impact of a project in the context of the impacts of past, present, and reasonably foreseeable future projects. (*Id.* at § 15065, subd. (a)(3); *Communities for a Better Environment v. Cal. Resources Agency* (2002) 103 Cal.App.4th 98, 118 [“[T]he guiding criterion on the subject of cumulative impact is whether any additional effect caused by the proposed project should be considered significant given the existing cumulative effect.”].) The analysis of a project’s own impacts is an inquiry that is distinct from considering the project’s cumulative impacts. (*Kings County Farm Bureau v. City of Hanford, supra*, 221 Cal.App.3d at pp. 719-21 [holding that relatively small air quality impacts from a project do not eliminate the need to consider the project’s combined impacts with other development].)

Analysis of the Project’s cumulative air quality impacts is especially crucial here because the Project is located in a community that already suffers from some of the worst air pollution in the State. As previously discussed, sensitive receptors are located immediately west and north of the Project site, while to the east and south of the Project, at least eight other warehouses currently operate. Even if the Project’s air quality impacts are not significant in isolation, they

⁸ San Joaquin Valley Air Pollution Control District, “Guidance for Assessing and Mitigating Air Quality Impacts (2015), <http://www.valleyair.org/transportation/GAMAQI.pdf>.

become more concerning when combined with the pollution produced by other nearby warehouses and industrial sites and in such close proximity to sensitive receptors. The MND does not consider whether the Project's impacts in combination with other sources of air pollution will have cumulative impacts on the nearby sensitive receptors could be significant. The City should prepare an EIR to investigate this question.

3. The MND's Analysis of Greenhouse Gas Emissions Impacts is Insufficient

The MND concludes that the Project would generate less than significant impacts with mitigation for greenhouse gas emissions by demonstrating the Project's compliance with the City's Climate Action Plan ("CAP"). The MND states that the City's "CAP is consistent with the goals presented in AB 32 and SB 32 and, therefore, projects considered consistent with the CAP would be considered to result in a less-than-significant impact related to GHG emissions." (MND at p. 43.) However, courts have repeatedly held compliance with a single environmental or land use law or regulation does not create an exemption from CEQA's requirement that lead agencies evaluate all of a project's significant environmental impacts. For example, "compliance with a general plan in and of itself 'does not insulate a project from the EIR requirement, where it may be fairly argued that the project will generate significant environmental effects.'" (*East Sacramento Partnerships for a Livable City v. City of Sacramento* (2016) 5 Cal.App.5th 281, 301.) Thus, the City's conclusion that the Project would generate less than significant impacts for greenhouse gas emissions based on the Project's compliance with the CAP is inadequate.

Furthermore, the City's analysis of the Project's compliance with the CAP is flawed. The City's CAP requires projects to "comply with the applicable land use, sustainable development, and resources conservation policies of the Manteca General Plan." (MND at p. 43.) The MND concludes that the City would verify the Project's compliance with General Plan policies during the Site Plan Review process and, therefore, the Project meets the CAP's requirement. (MND at p. 43.) However, CEQA prohibits the deferral of environmental analysis in order to serve its purposes of public participation and informed decision-making. "By deferring environmental assessment to a future date, the conditions run counter to that policy of CEQA which requires environmental review at the earliest feasible stage in the planning process." (*Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 307; Pub. Resources Code, § 21003.1.) The City must, therefore, analyze the Project's consistency with Manteca's General Plan before concluding that the Project complies with the City's CAP and has less than significant greenhouse gas emissions impacts.

C. The MND Fails to Analyze the Project's Consistency with Manteca's General Plan

The CEQA Guidelines require an initial study to examine whether a project "would be consistent with existing zoning, plans, and other applicable land use controls." (CEQA Guidelines, § 15063, subd. (d)(5).) Despite this requirement, the MND quickly concludes that the Project does not conflict with Manteca's General Plan since "[t]he proposed project would be consistent with the site's current land use and zoning designations." (MND at p. 32.) However,

the MND does not analyze whether the Project will conflict with any policies in Manteca's General Plan, including the following:

- AQ-P-3: Segregate and provide buffers between land uses that typically generate hazardous or obnoxious fumes and residential or other sensitive land uses.
- AQ-P-7: New construction will be managed to minimize fugitive dust and construction vehicle emissions.
- CD-P-25: The City shall encourage mixed land uses but provide physical separation or design buffers between incompatible land uses.
- C-P-49: The city shall require that new industrial development pay a fair share toward improvements required to accommodate heavy vehicles, including increased pavement wear.

Manteca also has new proposed policies in its Draft General Plan Update that, if adopted, will apply to the Project. Although not required under CEQA, the City should consider analyzing the Project's consistency with the proposed Draft General Plan Update. Significantly, the General Plan Update will include several policies designed to reduce impacts in environmental justice communities, as required under SB 1000, including the following:

- LU-9.1: Require future planning decisions, development, and infrastructure and public projects to consider the effects of planning decisions on the overall health and well-being of the community and its residents, with specific consideration provided regarding addressing impacts to disadvantaged populations and communities and ensuring disadvantaged communities have equitable access to services and amenities.
- CD-6.3: Require setbacks and other design elements to buffer residential units to the extent possible from the impacts of abutting roadway, commercial, agricultural, and industrial uses.

Since the MND fails to discuss the Project's consistency with the policies contained in Manteca's General Plan, the MND's assessment of land use impacts is flawed.

D. The MND Does Not Include All Feasible Mitigation Measures to Reduce the Project's Potentially Significant Impacts

CEQA requires a lead agency to adopt all feasible mitigation measures that minimize the significant environmental impacts of a project. (Pub. Resources Code, § 21002; CEQA Guidelines, § 15126.4, subd. (a)(1).) The MND's mitigation measures must be specific, binding, and enforceable through permit conditions, agreements, or other legally binding instruments.

(Pub. Resources Code, § 21081.6, subd. (b); CEQA Guidelines §§ 15071, subd. (e) and 15126.4, subd. (a)(2).)

Here, the City concludes that air quality impacts will result in less than significant environmental impacts and, therefore, it does not propose any mitigation measures for such impacts. However, as previously discussed, the MND's analysis of the Project's air quality impacts is flawed and most likely underestimates the Project's impacts on nearby sensitive receptors. Despite acknowledging that there are existing single-family residences just 40 feet from the Project site, the MND does not include any mitigation measures that address air quality, traffic, or noise impacts from the Project's construction and operational activities.

After fully evaluating the Project's environmental impacts through an EIR, Manteca should consider adopting additional specific, binding, and enforceable measures to address the Project's air quality impacts from its construction and operation. We recommend the City to refer to the Bureau of Environmental Justice's guidance, *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act* for examples of air quality and greenhouse gas emissions mitigation measures.⁹ For example, we suggest consideration of the following recommendations and measures to mitigate air quality and greenhouse gas impacts:

- Per CARB guidance, siting warehouse facilities so that their property lines are at least 1,000 feet from the property lines of the nearest sensitive receptors.¹⁰
- Creating physical, structural, and/or vegetative buffers that adequately prevent or substantially reduce pollutant dispersal between warehouses and any areas where sensitive receptors are likely to be present, such as homes, schools, daycare centers, hospitals, community centers, and parks.
- Requiring off-road construction equipment to be zero-emission, where available, and all diesel-fueled off-road construction equipment, to be equipped with CARB Tier IV-compliant engines or better, and including this requirement in applicable bid documents, purchase orders, and contracts, with successful contractors demonstrating the ability to supply the compliant construction equipment for use prior to any ground-disturbing and construction activities.

⁹ State of California Department of Justice, "Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act,"

<https://oag.ca.gov/sites/all/files/agweb/pdfs/environment/warehouse-best-practices.pdf>.

¹⁰ California Air Resources Board (CARB), *Air Quality and Land Use Handbook: A Community Health Perspective* (April 2005), at ES-1. CARB staff has released draft updates to this siting and design guidance which suggests a greater distance may be warranted under varying scenarios; this document may be found on CARB's website and is entitled: "California Sustainable Freight Initiative: Concept Paper for the Freight Handbook" (December 2019).

- Prohibiting off-road diesel-powered equipment from being in the “on” position for more than 10 hours per day.
- Limiting the amount of daily grading disturbance area.
- Forbidding idling of heavy equipment for more than two minutes
- Requiring that all facility-owned and operated fleet equipment with a gross vehicle weight rating greater than 14,000 pounds accessing the site meet or exceed 2010 model-year emissions equivalent engine standards as currently defined in California Code of Regulations Title 13, Division 3, Chapter 1, Article 4.5, Section 2025. Facility operators shall maintain records on-site demonstrating compliance with this requirement and shall make records available for inspection by the local jurisdiction, air district, and state upon request.
- Requiring on-site equipment, such as forklifts and yard trucks, to be electric with the necessary electrical charging stations provided.
- Requiring tenants to use zero-emission light- and medium-duty vehicles as part of business operations.
- Installing and maintaining, at the manufacturer’s recommended maintenance intervals, air filtration systems at sensitive receptors within a certain radius of facility for the life of the project.
- Installing and maintaining, at the manufacturer’s recommended maintenance intervals, an air monitoring station proximate to sensitive receptors and the facility for the life of the project, and making the resulting data publicly available in real time. While air monitoring does not mitigate the air quality or greenhouse gas impacts of a facility, it nonetheless benefits the affected community by providing information that can be used to improve air quality or avoid exposure to unhealthy air.
- Constructing electric plugs for electric transport refrigeration units at every dock door, if the warehouse use could include refrigeration.
- Designing, clearly marking, and enforcing truck routes that keep trucks out of residential neighborhoods and away from other sensitive receptors
- Restricting the turns trucks can make entering and exiting the facility to route trucks away from sensitive receptors.

These measures have been adopted in comparable and larger projects, demonstrating that such measures are feasible.

E. Consultation with Responsible Agencies

CEQA requires a lead agency to consult with responsible and trustee agencies that have jurisdiction over resources impacted by a proposed project prior to adopting an MND. (Pub. Res. Code § 21080.3, subd. (a) [“Prior to determining whether a negative declaration or environmental impact report is required for a project, the lead agency shall consult with all responsible agencies and trustee agencies.”]; CEQA Guidelines, § 15073, subd. (c).) Here, the MND fails to list the responsible agencies for the Project or reveal whether the City consulted

with those agencies before choosing to prepare an MND for this Project. Thus, it is unclear whether the City has met CEQA's consultation requirements for this Project.

III. CONCLUSION

Thank you for the opportunity to provide these comments. We encourage Manteca to comply with CEQA's requirements and adequately disclose, analyze, and mitigate the environmental impacts of the Project prior to its approval. The Attorney General's Office is available to provide assistance to Manteca as it works on its CEQA compliance for the Project. Please do not hesitate to contact me if you have any questions or would like to discuss these issues further.

Sincerely,



RICA V. GARCIA
Deputy Attorney General

For ROB BONTA
Attorney General