

APPENDIX B

NOTICE OF PREPARATION (NOP) AND NOP RESPONSES



Date: January 16, 2009

To: Interested Persons

From: Rochelle Henson, Senior Planner, City of Manteca
Erika Hollander, Senior Planner, City of Manteca

SUBJECT: NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL
IMPACT REPORT FOR THE AUSTIN ROAD BUSINESS PARK AND
RESIDENTIAL COMMUNITY PROJECT

PUBLIC REVIEW PERIOD: January 19, 2009 through February 18, 2009

Introduction

The City of Manteca will be the Lead Agency for the preparation of an Environmental Impact Report (EIR) for the Austin Road Business Park and Residential Community Project (proposed project). The California Environmental Quality Act (CEQA), Section 15082, states that once a decision is made to prepare an EIR, the lead agency must prepare a Notice of Preparation (NOP) to inform all responsible agencies of that decision. The purpose of the NOP is to provide responsible agencies and interested persons with sufficient information describing the proposed project and its potential environmental effects to enable them to make a meaningful response as to the scope and content of the information to be included in the EIR.

This NOP is being released to request comments on the scope of the EIR for the proposed project. The responses to this NOP will help the City of Manteca determine the scope of the EIR and ensure an appropriate level of environmental review.

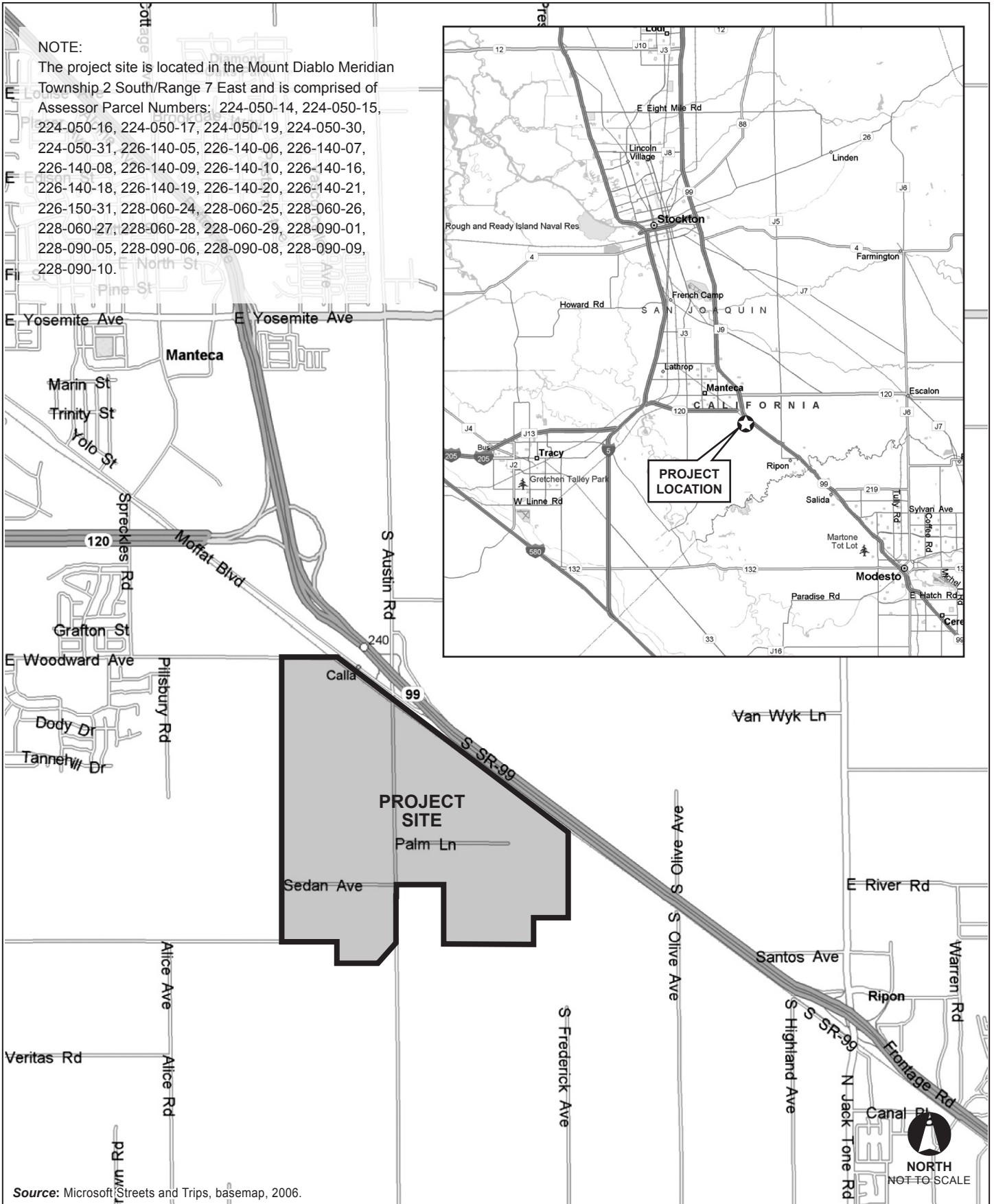
The EIR will evaluate the potential environmental impacts of the proposed project and recommend mitigation measures, as required. The EIR will provide a project-specific evaluation of the environmental effects of the proposed project, pursuant to Section 15161 of the State CEQA Guidelines.

Project Location

The project site is located within San Joaquin County adjacent to the southeast limits of the City of Manteca. The project site is located within the ten-year planning horizon of the adopted City of Manteca Sphere of Influence. The area is generally bounded by East Woodward Avenue to the north, Highway 99 to the east, and is bisected by the existing Austin Road, which runs north-south (See Figure 1).

NOTE:

The project site is located in the Mount Diablo Meridian Township 2 South/Range 7 East and is comprised of Assessor Parcel Numbers: 224-050-14, 224-050-15, 224-050-16, 224-050-17, 224-050-19, 224-050-30, 224-050-31, 226-140-05, 226-140-06, 226-140-07, 226-140-08, 226-140-09, 226-140-10, 226-140-16, 226-140-18, 226-140-19, 226-140-20, 226-140-21, 226-150-31, 228-060-24, 228-060-25, 228-060-26, 228-060-27, 228-060-28, 228-060-29, 228-090-01, 228-090-05, 228-090-06, 228-090-08, 228-090-09, 228-090-10.



Source: Microsoft Streets and Trips, basemap, 2006.

FIGURE 1
Project Location

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Austin Road Business Park and Residential Community



901 SCF 1 96121

Project Site

The majority of the approximately 1,049-acre project site is currently under agricultural use. Crop types include grapes, almonds, corn, oats, and strawberries. The existing circulation within the project site consists of rural roads with the exception of Woodward Avenue and Austin Road. Existing infrastructure on the site is limited. There are rural residences on the project site that have individual wells and septic systems. A portion of the project site is located in the Manteca Unified School District and the remainder is located within the Ripon Unified School District. School district boundaries are shown on Figure 2.

Proposed Land Uses

The proposed project includes a range of land uses and development intensities. The proposed land use breakdown of the project is shown on Figure 3 and includes gross acreages, maximum development intensities (represented in dwelling units per acre (DU/ac) or floor area ratio (FAR)), maximum square footages, and maximum unit counts for the various uses. The various land uses include heavy industrial, commercial, office, mixed use, various residential uses and public/quasi-public.

The public/quasi public uses include detention basins/parks, open space and an exposition center. The proposed expo center would include a 32,000-square-foot exposition hall for conferences; an amphitheater with 1,000 permanent seats and a 4,000-person-capacity lawn seating for outdoor events; and a 10,000-square-foot agricultural expo facility.

Access and Circulation

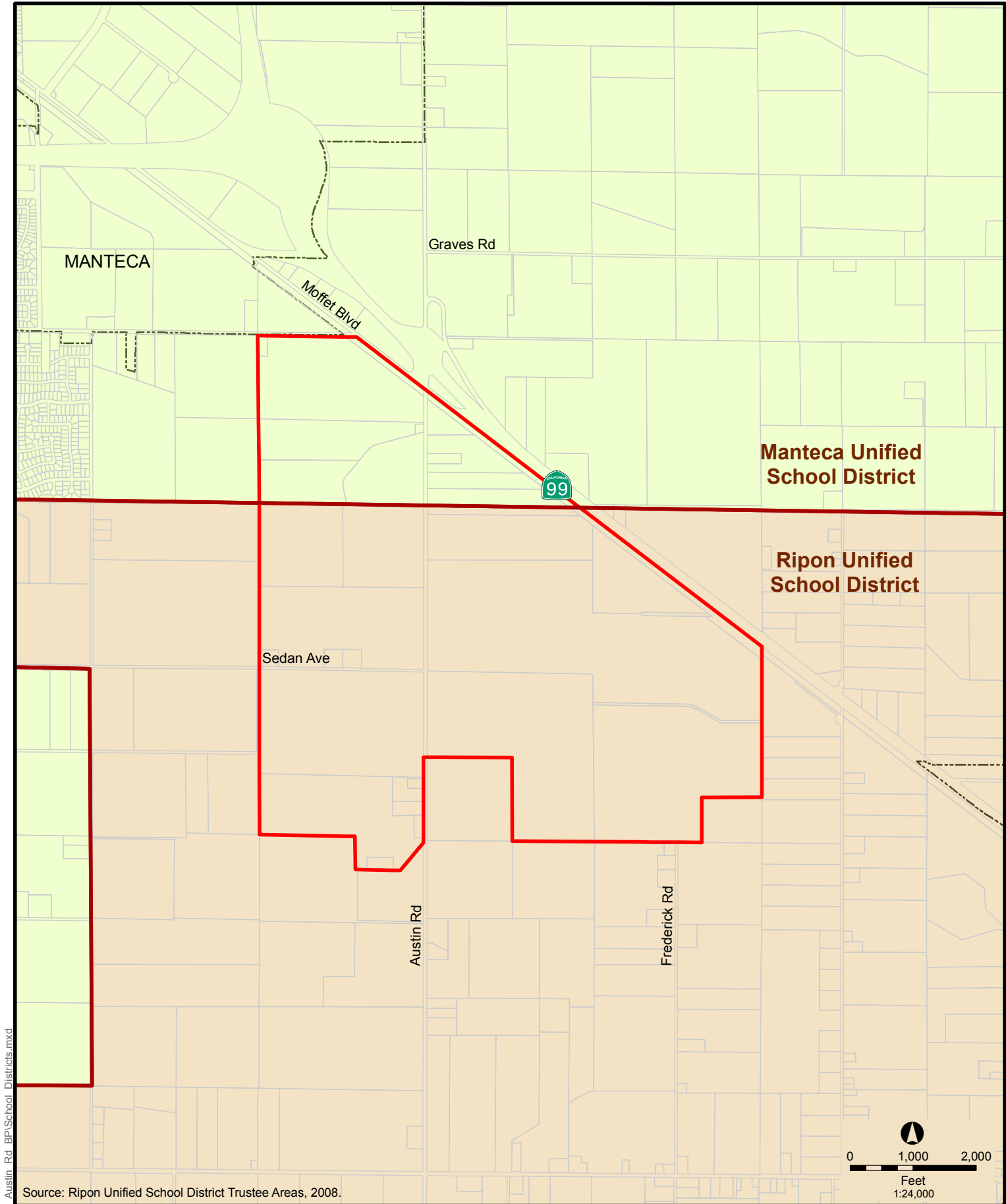
The project includes the development of internal collector and arterial roadways to serve the future development of the site, and certain improvements to existing facilities to provide project access. Primary access to the site from within the City of Manteca would be provided by the existing Woodward Avenue and Atherton Drive from the north and northwest, and from the west by the future McKinley Avenue. McKinley Avenue is a proposed arterial/expressway that would run through the southern portion of the City of Manteca, connecting Highway 120 to Highway 99, including a portion through the proposed project. Access to the project from the east side of Highway 99 and from the unincorporated areas to the north and south is provided by existing Austin Road (see Figure 3).

Access from Highway 99 would initially be provided by the existing Austin Road interchange, along with any required improvements to accommodate a portion of the initial phase of development. Ultimately access from Highway 99 would be provided by a future New Austin Rd / McKinley Avenue interchange, which would replace the existing Austin Road interchange and provide a second crossing of Highway 99 in the project area. A Project Study Report for the proposed replacement interchange is currently under preparation by the City and Caltrans.

Utilities and Infrastructure

Water Supply

Domestic water service for the project would be provided by the City of Manteca. The project would include construction of an internal water distribution system consisting of a series of water lines ranging in size from 6-inches to 12-inches. The project would include the construction of a new 12-inch water main with one connection to the existing 12-inch main in Moffat Boulevard, on the northeastern edge of the project site, and one connection to the existing 12-inch main in Main Street, approximately 1.5 miles west of the project site. The connection to the existing 12-



Source: Ripon Unified School District Trustee Areas, 2008.

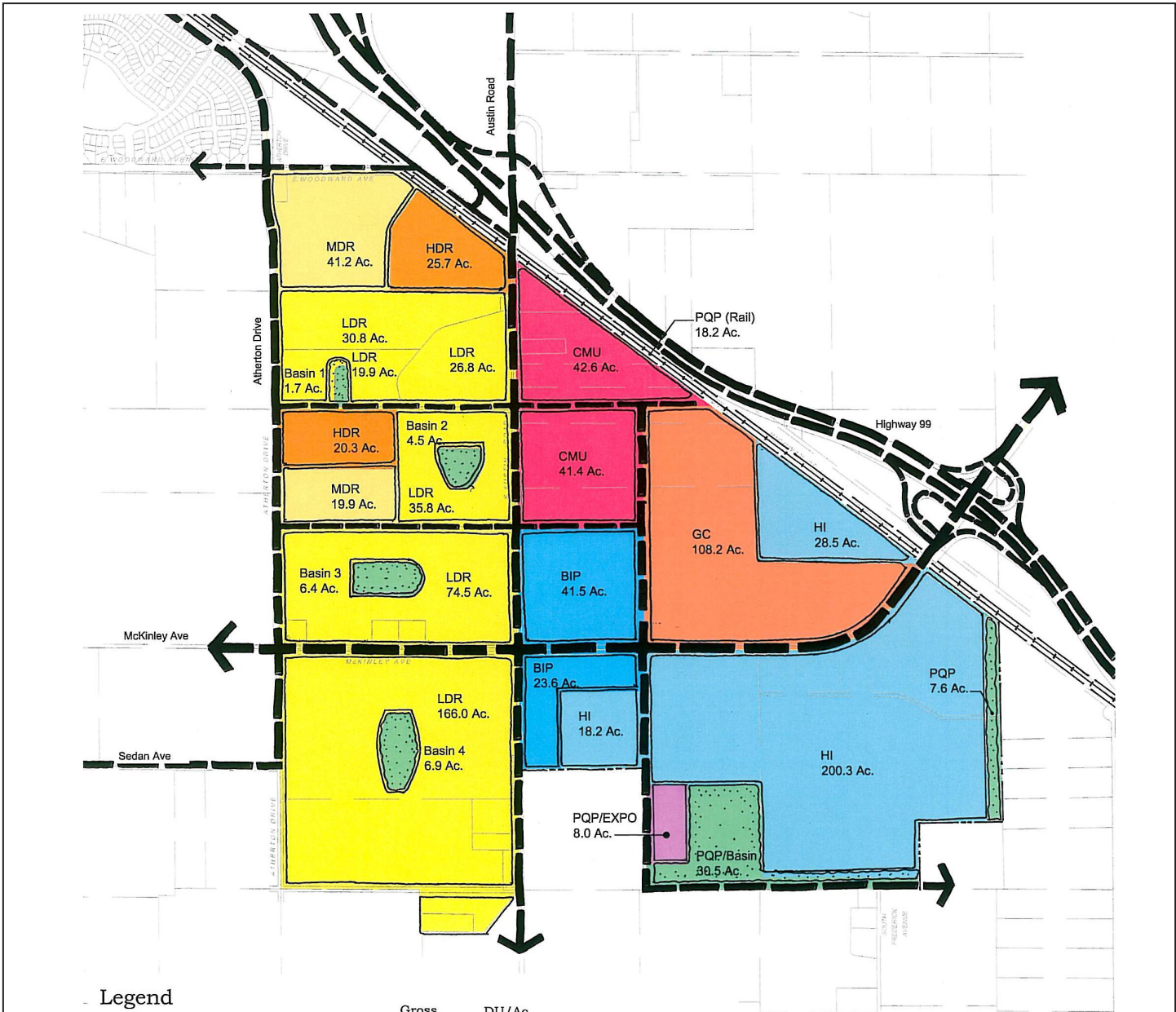
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FIGURE 2
School District Boundaries

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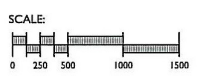
Austin Road Business Park and Residential Community



Legend

Land Use	Gross Acreage	DU/Ac or FAR	Units/Sq.Ft.
GC General Commercial	108.2	.25 FAR	1,178,298 sq.ft.
CMU Commercial Mixed Use - Office/Comm.	62.9	.25 FAR	684,981 sq.ft.
Commercial Mixed Use - Residential	21.0	22 du/ac	462 units
BIP Business / Industrial / Professional	65.1	.35 FAR	992,515 sq.ft.
HI Heavy Industrial	247.0	.50 FAR	5,379,660 sq.ft.
LDR Low Density Residential	342.8	5.1 du/ac	1,748 units
MDR Medium Density Residential	61.1	10 du/ac	610 units
HDR High Density Residential	46.0	22 du/ac	1,012 units
PQP Public/Quasi-Public	46.1	.35 FAR	121,968 sq.ft. at EXPO
Detention / Park	30.5 ac		
Open Space	7.6 ac		
EXPO	8.0 ac		
Railroad Right-of-Way (PQP)	18.2		
Future Pocket Parks (not shown)	10.8		
Dual Use Park/Basins	19.4		
Park/Basin 1	1.6 ac		
Park/Basin 2	4.5 ac		
Park/Basin 3	6.4 ac		
Park/Basin 4	6.9 ac		
TOTAL	1,048.6 acres		8,357,422 sq.ft. 3,832 units

- Notes:
1. PQP at railroad r.o.w. is part of annexation only. This area is not considered to be part of Business Park and Residential Community Project.
 2. 10.8 acres of parks are assumed in Low Density Residential areas and are not shown on the plan, but are accounted for in the calculations.
 3. Commercial Mixed Use is envisioned to consist of 25% office uses (226,044 sf), 25% apartment use (462 units) and 50% commercial uses integrated horizontally (458,937 sf).



Source: Randall Planning & Design Inc., 2008.

FIGURE 3
Land Use Plan

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Austin Road Business Park and Residential Community

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inch main in Main Street would require construction of an off-site water line that would extend from Sedan Avenue to Main Street along an existing agricultural road.

A water supply assessment will be undertaken by the City to determine whether this project would be required to construct a new groundwater well and/or an above-ground water storage tank. In addition, the City's Water Master Plan identifies the need to construct large-diameter water pipelines to deliver potable water from the South San Joaquin Irrigation District (SSJID) surface water treatment facility to areas south of State Route (SR) 120. The proposed alignment of one of these large diameter water pipelines intersects the proposed project site. Consequently, some of the project's internal water piping may be required to be upsized from 12-inches to 24-inches to comply with the City's Water Master Plan.

Wastewater

Wastewater collection and treatment would be provided by the City of Manteca. The project would include construction of new on-site and off-site wastewater collection infrastructure, including an on-site gravity sanitary sewer system that would convey wastewater to a new pump station that would be located along the western project boundary. From the new on-site pump station, a portion of the project's wastewater is proposed to be pumped to an existing 18-inch gravity pipeline located at Woodward Avenue and E. Atherton Drive. The project's wastewater would then flow to the existing Woodward Park pump station located at Woodward Avenue and Buena Vista Drive. After a certain level of development occurs, the project proponent would be required to provide for the construction of a new off-site force main to convey wastewater flows to the Tara Park pump station at the intersection of Woodward Avenue and Galleria Drive. The alignment of the new off-site force main is proposed to extend approximately 6 miles from the on-site pump station along an existing agricultural road, then north along Main Street, then west along Woodward Avenue to the Tara Park pump station.

Solid Waste Disposal

Solid waste collection service for the project site would be provided by the City of Manteca. The City's solid waste is delivered to the Lovelace Transfer Facility on Lovelace Road in San Joaquin County and then transferred to the Foothill Sanitary Landfill located on Waverly Road east of Linden.

Storm Drainage

The project site is not currently served by a storm drain system. The project would include the construction of storm drain facilities to serve the project site, including conveyance infrastructure and on-site storm drain basins. It is possible that storm water from a certain level of development could be contained on-site through the use of percolation basins. However, after a certain level of development occurs, the project proponent would be required to provide for the construction of significant off-site improvements in accordance with the City's Storm Drain Master Plan. These off-site improvements could include several miles of drainage pipelines, improvements to the French Camp Outlet Canal, improvements to SSJID Drains 10 and 11, and/or a new storm drain outfall structure in Walthall Slough.

Natural Gas, Electric, Telephone, and Cable Services

Pacific Gas and Electric Company (PG&E) would provide both natural gas and electric services to the project site. Verizon and Comcast are local telephone service and cable television service providers in the area. Systems to provide these services exist along Austin Road.

Public Facility Implementation Plan

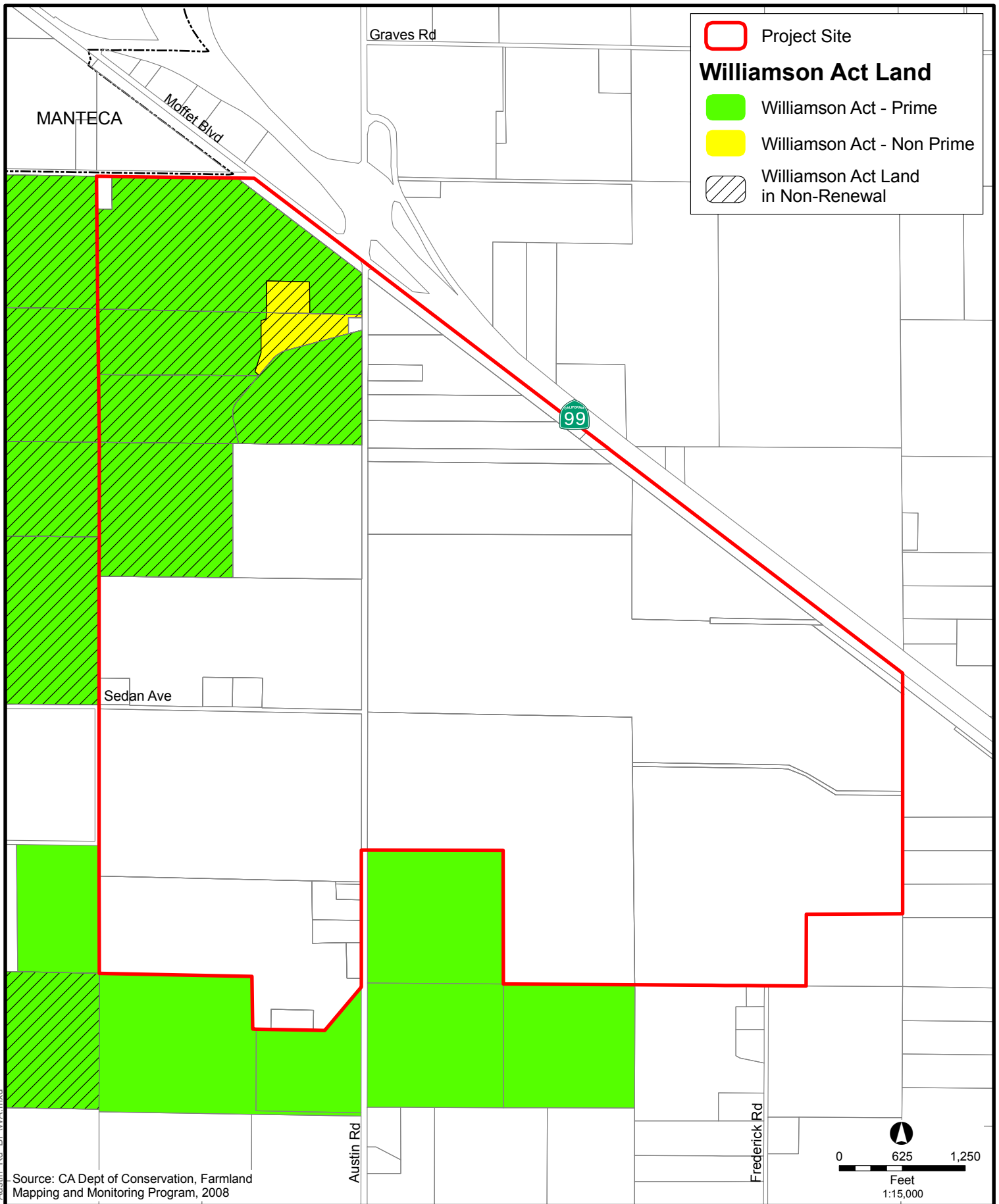
The PFIP establishes project-specific fee obligations for proposed projects with respect to their impact on the City's community-wide Master Facility Plans for water, wastewater, storm drain, and traffic improvements. The proposed project is located outside of the City's current Public Facility Implementation Plan boundary. While the City of Manteca is currently updating the PFIP and the PFIP will ultimately include the Austin Road project site, at this time it is anticipated that the EIR will analyze the proposed project impacts on basic City infrastructure service systems and explore the proposed project's opportunities/responsibilities for mitigating service demands associated with its build-out.

Williamson Act Contracts

The project site includes approximately 183 acres under Williamson Act contract, the majority of which are in nonrenewal status. The project proposes that the areas currently under Williamson Act contract remain in agricultural use until the contracts expire, after which those areas would be developed with residential uses. Parcels under Williamson Act contract within the project site and immediately adjacent to the project site are shown on Figure 4.

Phasing

It is anticipated that the project would be developed in several phases. The first phase will include approximately 218 acres of heavy industrial, 46 acres of public/quasi public uses including an 8 acre expo center and 24 acres of business/Industrial/professional (BIP). Phase one is located in the southeastern portion of the site, south of the McKinley Avenue extension. Phase two totals approximately 82 acres including the remaining 41 acres of BIP, and approximately half of the Commercial Mixed Use (CMU). Phase three will total approximately 315 acres consisting of low density residential as well as park and open space. The fourth phase will encompass the general commercial portion of the site, totaling approximately 108 acres. The fifth phase includes various densities of residential as well as commercial and industrial uses. Since these properties are either under Williamson Act contract or have existing uses, there are no immediate plans for development of these parcels, and will encompass the final phase of the project. A phasing summary is included in Table 1 and a phasing map is shown on Figure 5.



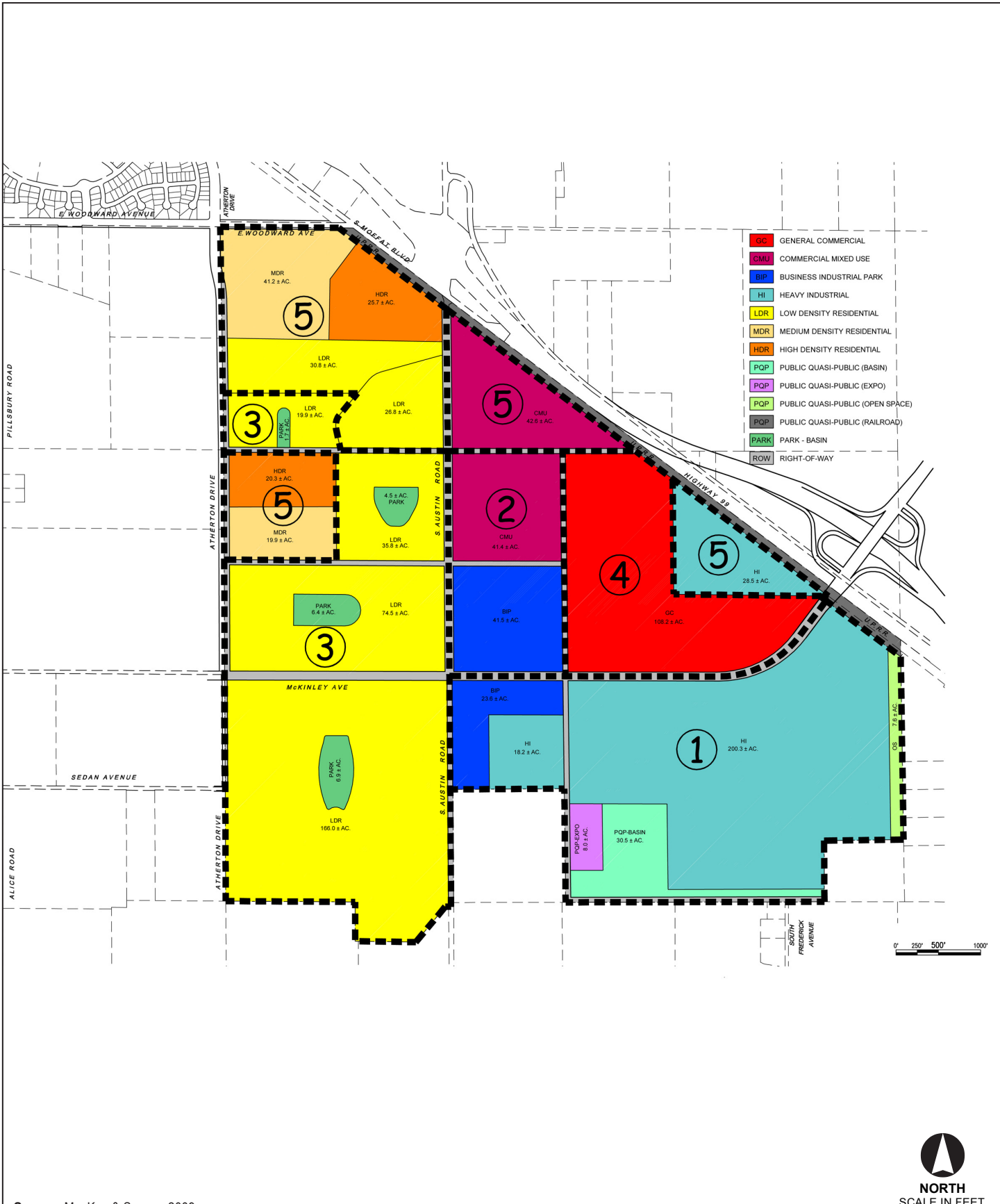
Source: CA Dept of Conservation, Farmland Mapping and Monitoring Program, 2008

FIGURE 4
Williamson Act Lands



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Austin Road Business Park and Residential Community



Source: MacKay & Soms, 2009.



FIGURE 5
Phasing Map

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TABLE 1

PHASING SUMMARY

Phase	Estimated Start	Use	Acreage	Units	Square Feet
1	2010	BIP	23.6	0	359,806
		HI	218.5	0	4,758,930
		PQP – EXPO	8.0	0	121,968
		PQP – PARK	30.5	0	0
		PQP – OPEN SPACE	7.6	0	0
Subtotal			288.2	0	5,240,704
2	2012	CMU - OFFICE/COMM.	31.1	0	338,679
		CMU – RESIDENTIAL	10.3	229	0
		BIP	41.5	0	632,709
Subtotal			82.9	229	971,388
3	2013	LDR	285.3	1,455	0
		PARK	30.2	0	0
Subtotal			315.5	1,455	0
4	2018	GC	108.2	0	1,178,298
Subtotal			108.2	0	1,178,298
5	2020	CMU - OFFICE/COMM.	32.0	0	348,480
		CMU – RESIDENTIAL	10.6	233	0
		HI	28.5	0	620,730
		LDR	57.5	293	0
		MDR	61.1	610	0
		HDR	46.0	1,012	0
Subtotal			235.7	2,149	969,210
Total Summary					
		GC	108.2	0	1,178,298
		CMU - OFFICE/COMM.	62.9	0	684
		CMU – RESIDENTIAL	21.0	462	981
		BIP	65.1	0	0
		HI	247.0	0	5,379,660
		LDR	342.8	1,748	0
		MDR	61.1	610	0
		HDR	46.0	1,012	0
		PQP – EXPO	8.0	0	121,968
		PQP – PARK	30.5	0	0
		PQP – OPEN SPACE	7.6	0	0
		PARK	30.2	0	0
Total			1,030.4	3,832	8,357,422

Source: MacKay & Soms, November 2008

Environmental Effects

The technical sections of the Draft EIR will describe the existing conditions in the proposed project area and surrounding lands. The EIR will include a summary of relevant federal, state, and local laws and regulations, including City of Manteca General Plan policies. In each of the technical sections of the EIR, the EIR will describe the methods and standards of significance used for impacts of the project, including any assumptions that are important to understand the conclusions of the analysis. The standards for determining impact significance will be based on existing state and federal rules, regulations, and laws, City ordinances and policies, and past practices. The standards will be used both to determine whether an impact is significant and the effectiveness of recommended mitigation. Where available, the EIR will identify feasible mitigation measures for each significant impact. The mitigation measures will identify the specific actions to be taken, the timing of the action, and the parties responsible for implementation of the measure.

At this time, it is anticipated that the following issue areas will be addressed in the EIR:

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hydrology and Water Quality (including drainage)
- Land Use
- Noise
- Public Services (including police services, fire services, schools, and libraries)
- Utilities and Service Systems (including water, wastewater, solid waste, electricity, and natural gas)
- Transportation/Traffic/Parking (including the proposed project's internal arterial circulation and connection to regional transportation networks)

During the scoping process, it may be determined that the proposed project would have a less-than-significant impact in one or more of the technical issue areas. Those technical discussions will be included in an Initial Study, which will be attached as an appendix to the Draft EIR. Based on conditions on the site, it is anticipated that the following issue areas will be addressed in the Initial Study:

- Hazards and Hazardous Materials
- Mineral Resources
- Population and Housing
- Recreation

Alternatives

The EIR will examine a range of potentially feasible alternatives to the proposed project. A discussion of alternatives considered but rejected without full analysis will also be included. At this time, it is anticipated that the range of potentially feasible alternatives could include:

- No-Project Alternative
- Reduced-Density/ Footprint Alternative
- Off-site Alternative

Requested Approvals

Implementation of the Austin Road Business Park and Residential Community project would require entitlements from the City of Manteca. Approvals required for the project include, but are not limited to the following:

- Certification of the EIR and Mitigation Monitoring Plan
- General Plan Amendments (as illustrated on Figure 3)

- Prezone
- Annexation

The project would also require approval by the San Joaquin County Local Agency Formation Commission of annexation of the project site to the City of Manteca. Other agencies that may issue approvals or permits for the project include but are not limited to the San Joaquin Valley Air Pollution Control District, the South San Joaquin Irrigation District, and the Central Valley Regional Water Quality Control Board.

Submitting Comments

To ensure that the full range of project issues of interest to responsible government agencies and the public are addressed, comments and suggestions are invited from all interested parties. Written comments or questions concerning the EIR for the proposed project should be directed to the environmental project managers at the following address by 5:00 p.m. on February 18, 2009.

Rochelle Henson, Senior Planner
Erika Hollander, Senior Planner
City of Manteca
1001 W. Center Street
Manteca, CA 95337
(209) 825-1830 Office
(209) 825-2349 Fax
rhenson@ci.manteca.ca.us
ehollander@ci.manteca.ca.us

All comments must include full name and address in order for staff to respond appropriately.

A public scoping meeting will also be held during this comment period on February 5, 2009 at City of Manteca Council Chambers at 4:00p.m. Responsible agencies and members of the public are invited to attend and provide input on the scope of the EIR.

DEPARTMENT OF TRANSPORTATION

P.O. BOX 2048 STOCKTON, CA 95201
 (1976 E. CHARTER WAY/1976 E. DR. MARTIN
 LUTHER KING JR. BLVD. 95205)
 TTY: California Relay Service (800) 735-2929
 PHONE (209) 941-1921
 FAX (209) 948-7194



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February 17, 2009

10-SJ-99-PM4.9
 SCH # 2009012044
 Austin Road Business
 Park & Residential
 Community Project

RECEIVED

FEB 18 2009

Ms. Erika Hollander
 City of Manteca
 1001 W. Center Street
 Manteca, CA 95337

**COMMUNITY DEVELOPMENT
 DEPARTMENT**

Dear Ms. Hollander:

The California Department of Transportation (Department) appreciates the opportunity to have reviewed the Notice of Preparation (NOP) for the Austin Road Business Park and Residential Community Project draft Environmental Impact Report (EIR). The project is located within San Joaquin County adjacent to the southeast limits of the City of Manteca. The project site is located within the ten-year planning horizon of the adopted City of Manteca sphere of influence. The area is generally bounded by East Woodward Avenue to the north, Highway 99 to the east, and is bisected by the existing Austin Road, which runs north south.

The Department has the following comments:

Travel Forecasting Comments

1. Page 2 of the NOP, Access and Circulation – Primary access to the site may be the local surface streets, but impacts from a project of 1,049 acres will be felt on State Route (SR) 99, SR-120, Interstate 5 as well as Interstate 205. There is discussion that access to SR-99/SR-120 would be provided by the new Austin Road/McKinley Avenue interchange, but this does not exist currently.
2. Page 5 Table 1 - Based on the summary totals, at build out, we can expect almost 50,000 Daily trips (Trip Gen Software) generated by this project as it is portrayed in this early stage. These impacts may necessitate re-construction of all the existing interchanges on SR-120 (Manteca Bypass) and not just the addition of the future McKinley Interchange.

Ms. Erika Hollander
February 17, 2009
Page 2

This additional project traffic could mean a need for at least an additional lane in both directions on the SR-120 (Manteca Bypass). Current AM (West Bound)/PM (East Bound) peak period conditions on the SR-120 (Manteca Bypass) experience daily slow downs and frequent traffic queues that are miles long. There is a strong possibility the Manteca Bypass connectors both at SR-99 and I-5 would be overloaded from this project traffic, degrading the Level of Service (LOS) to unacceptable levels. The Draft EIR will need to address all the issues, not just McKinley/120 and Austin Road/99 interchanges. Most likely we can expect degraded LOS on the nearly new SR-99/Jacktone Road Interchange.

The summary land uses are only proposals at this point in time, but please note the information on Table 1, Total Summary, of 342.8 acres reserved for Low Density Residential (LDR), 61.1 acres for Medium Density Residential (MDR) and only 46 acres for High Density Residential (HDR). As projects build out, after the EIR is signed off and approved, it is common for Developers to return to community planners and gain approval to decrease the LDR acreage while increasing higher density acreage. You'll notice Table 1 LDR shows 1,748 dwelling units (DU) for 342.8 acres which translates to 5.1 DU/acre and 1,012 HDR for 46 acres calculates out to 22 DU/acre. Assume the developer gains approval later in build-out to convert LDR to HDR – it would mean $22 \text{ DU} \times 342.8 \text{ acres} = 7,541 \text{ DU}$ which would be an additional 5,800 DU not addressed anywhere in the NOP/DEIR or approved EIR. Assume daily trip generation rates are 10 trips/DU, this would mean an additional 58,000 daily generated trips that are not addressed during the project approval stages. This may be an extreme (worst case) example, but shows the importance of a DEIR that is inclusive of all the potential impacts to the area.

3. This project should be modeled through the Manteca City/San Joaquin County Regional Traffic Models and the San Joaquin Valley Air Quality Model. We can expect the results to show significant adverse impacts. Mitigation for these impacts should be addressed extensively in the Draft EIR. Funding mechanisms and responsibility for needed mitigation construction should also be spelled out in detail in the DEIR. Throughout the build-out phases comprehensive Traffic Studies will be requested at the project specific level. Caltrans has prepared Traffic Study Guidelines to assist the consultants, in preparing the needed traffic studies. The guidelines can be provided to entities that desire them

Hydraulics Engineer Comment

Please be aware the water table is quite high in this area. The minimum buffer zone between bottom of basin and ground water must be maintained for water quality purposes.

Ms. Erika Hollander
February 17, 2009
Page 3

Traffic Operations Comment

1. A traffic impact study (TIS) is necessary to determine this proposed project's near-term and long-term impacts to State facilities – both existing and proposed – and to propose appropriate mitigation measures. The Department recommends that the study be prepared in accordance with the *Caltrans Guide for the Preparation of Traffic Impact Studies*. As part of the DEIR and TIS submission to the Department, please provide, in an electronic format, the traffic microsimulation software files (both input and output) that will be used to develop the TIS. The Department requires this information to provide a complete review of the proposed project. The TIS should include Level of Service (LOS), Delay, and Queue calculation reports.
2. The Department requests that the Lead Agency arrange a pre-consultation meeting to be attended by the Lead Agency, Department, Developer, and Consultant Team to review the Draft Scope of Work for conducting the TIS prior to circulating the DEIR for comment. The Department will require a copy of the TIS Scope of Work at least one week prior to this meeting. We are available to discuss assumptions, data requirements, study scenarios, and analysis methodologies prior to beginning the TIS. This will help insure that a quality TIS is prepared and to avoid delaying the Certification of the DEIR. Some dates available to meet are March 3rd, 10AM or 1:30 PM and March 5th at 2:00 PM. Please call Barbara Hempstead to coordinate this meeting.

Caltrans encourages contacting the Native American Heritage Commission: 915 Capitol Mall, Room 364, Sacramento, California, 95814, Telephone (916) 653-4082, Fax (916) 657-5390 for advice on consulting with Native Americans regarding any cultural concerns within the project area.

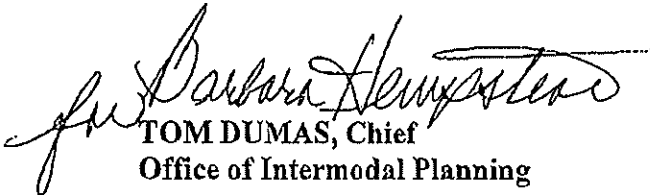
The Transit branch requests that transit and pedestrian friendly designs and amenities in the proposed development be utilized to encourage the use of public transit and alternative modes of transit. Roadways should be designed to provide for bus stops/pull outs at major intersections and sidewalks should accommodate the installation of signs, benches and shelters. Bicycle paths and storage areas should also be incorporated to encourage bicycling to work which reduces the number of single occupancy vehicles on the road. Promoting the use of car and van pools should be encouraged by providing incentives such as preferred parking for car pool and green vehicles and charging stations for battery powered vehicles.

Please forward a copy of all Final Conditions of Approval including any mitigation measures that are being proposed as well as any other documents and reports (i.e. all forms of environmental documents, Traffic Impact Study Reports, site and location maps, etc) on this proposed project

Ms. Erika Hollander
February 17, 2009
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for our review, comment, and records. If you are aware of any controversy regarding any of our requirements, please contact us as soon as possible so we may work together to resolve them before submittal to your Board. If you have any questions or would like to discuss our comments in more detail, please contact Barbara Hempstead at (209) 948-3909 (e-mail: barbara_hempstead@dot.ca.gov) or me at (209) 941-1921.

Sincerely,


TOM DUMAS, Chief
Office of Intermodal Planning

STATE OF CALIFORNIA
FACSIMILE COVER
 10-2A-0049 (NEW 10/92)

ATTENTION:		FROM:	
Ms. Erika Hollander		Barbara Hempstead Department of Transportation 1976 Dr. Martin Luther King Stockton, CA 95205	
City of Manteca 1001 W. Center Street Manteca, CA 95337		DATE:	TOTAL PAGES (Including Cover Page)
		2/18/09	5
		FAX # (Include Area Code)	Phone
		(209) 948-7164	(209) 948-3909
PHONE # (& Area Code)	FAX # (& Area Code)	ORIGINAL DISPOSITION:	
209-239-3156	209-825-2349	Destroy <input type="checkbox"/>	Return <input type="checkbox"/>
		Call for Pickup <input type="checkbox"/>	

COMMENTS:

10-SJ-99-4.9

NOP

SCH#2009012044

Austin Road Business Park &
 Residential Community Project

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



February 17, 2009

Erika Hollander
City of Manteca
1001 West Center Street
Manteca, CA 95337

Re: Notice of Preparation-Draft Environmental Impact Report (DEIR)
SCH # 2009012044-Austin Road business Park and Residential community project

Dear Ms. Hollander:

As the state agency responsible for rail safety within California, the California Public Utilities Commission (CPUC or Commission) recommends that development projects proposed near rail corridors be planned with the safety of these corridors in mind. New developments and improvements to existing facilities may increase vehicular traffic volumes, not only on streets and at intersections, but also at at-grade highway-rail crossings. In addition, projects may increase pedestrian traffic at crossings, and elsewhere along rail corridor rights-of-way. Working with CPUC staff early in project planning will help project proponents, agency staff, and other reviewers to identify potential project impacts and appropriate mitigation measures, and thereby improve the safety of motorists, pedestrians, railroad personnel, and railroad passengers.

The proposed project includes a range of land uses and developmental intensities. The public/quasi public uses include detention basins/parks, open space and an exposition center. The proposed expo center would include a 32,000 square foot exposition hall for conferences; an amphitheater with 1,000 permanent seats and a 4,000 person capacity lawn seating for outdoor events; and a 10,000 square foot agricultural expo facility.

Of concern are the at-grade rail crossings at Austin Road (CPUC#001B-99.50) and Woodward Road (CPUC# 001B-99.20) from traffic impacts in and around this area. The City needs to address the direct and cumulative impacts in the Transportation/Circulation section of the DEIR for this project, along with any impacts and appropriate mitigation measures to these referenced at-grade rail crossings and rail Corridor. The Traffic Impact Study (TIS) is the mechanism to provide this analysis.

Please send a copy of the T.I.S scope when available for review before the study is prepared. This will expedite our review of the DEIR and provide early consultation on the traffic scope to assure that the at-grade rail crossings are included in the environmental analysis.

Erika Hollander
City of Manteca
SCH # 2009012044
February 17, 2009
Page 2 of 2

Thank you for your consideration of these comments. We look forward to working with the City on this project. If you have any questions on this matter, please call me at (415) 713-0092 or email at ms2@cpuc.ca.gov.

Sincerely,

Moses Stites
Rail Corridor Safety Specialist
Consumer Protection and Safety Division
Rail Transit and Crossings Branch
515 L Street, Suite 1119
Sacramento, CA 95814



San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT

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JAN 04 2009

**COMMUNITY DEVELOPMENT
DEPARTMENT**

January 29, 2009

Rochelle Henson
City of Manteca
1001 W. Center Street
Manteca, CA 95337

Subject: Comments on Proposed Project

Project: NOP: Austin Road Business Park and Residential Community Project

District Reference No: 20090049

Dear Ms. Henson:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the NOP for the City of Manteca proposed Austin Road Business Park and Residential Community Project. The proposed project would include 3,832 dwelling units and 8,357,422 square feet of space for a verity of uses. The District offers the following comments:

District Comments

- 1) The District recommends that any preiiminary and final environmental review of the project's potential impact on air quality include the following:
 - 1a) A description of the regulatory environment and existing air quality conditions impacting the area. Information on the District's attainment status can be found on the District's web page: <http://valleyair.org/aqinfo/attainment.htm>
 - 1b) A description of the project, including a discussion of existing and post-project emissions. The discussion should include emissions from short-term activities

Seyed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061
www.valleyair.org

Southern Region
2700 M Street, Suite 275
Bakersfield, CA 93301-2373
Tel: (661) 326-6900 FAX: (661) 326-6985

such as construction, and emissions from long-term activities, such as operational, and area wide emission sources.

- 1c) A discussion of the potential health impact of Toxic Air Contaminants (TACs), if any, to near-by receptors.
 - 1d) A discussion of whether the project would result in a cumulatively considerable net increase of any criteria pollutant or precursor for which the San Joaquin Valley Air Basin is in non-attainment.
 - 1e) A discussion of whether the project would create nuisance odors.
 - 1f) A discussion of the methodology, model assumptions, inputs and results used in characterizing the project's impact on air quality.
 - 1g) A discussion of all existing District regulations that apply to the project.
 - 1h) A discussion of all feasible measures that will reduce air quality impacts.
- 2) At this time there are no established significance thresholds for greenhouse gas emissions, however, it is suggested that the EIR include a discussion of greenhouse gas emissions generated by the project and the effect they will have, if any, on global climate change.
 - 3) Emissions from permitted (stationary sources) and non-permitted (mobile sources) sources should be analyzed separately. The project should be considered to have a significant adverse impact on air quality if emissions from either source exceed the following amounts: 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), or 15 tons per year particulate matter of 10 microns or less in size (PM10).
 - 4) If the project is located near residential/sensitive receptors, the proposed project should be evaluated to determine the health impact of Toxic Air Contaminants (TACs) to the near-by receptors. If the analysis indicates that TACs are a concern, the District recommends that a Health Risk Assessment (HRA) be performed. If a HRA is to be performed, it is recommended that the project proponent contact the District to review the proposed modeling approach. Please contact Mr. Leland Villalvazo, Supervising Air Quality Specialist, at hramodeler@valleyair.org. Additional information on Toxic Air Contaminants (TACs) can be found on the District's Air Quality Modeling page; http://www.valleyair.org/busind/pto/Tox_Resources/AirQualityMonitoring.htm
 - 5) If an HRA is performed, all input and out put files necessary to validate the analysis should be submitted to the District in electronic format.

- 6) The proposed project may require District permits. Prior to construction, the project proponent should submit to the District an application for an Authority to Construct (ATC). For further information or assistance, the project proponent may contact the District's Small Business Assistance Office at (209) 557-6446.

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. If you have any questions or require further information, please call David McDonough at (559) 230-5920 and provide the reference number at the top of this letter.

Sincerely,

David Warner
Director of Permit Services

A handwritten signature in black ink that reads "David McDonough for". The signature is written in a cursive style.

Arnaud Marjollet
Permit Services Manager

DW: dm

cc: File



French Camp Lathrop Manteca Weston Ranch
Manteca Unified School District

Mary Karim, Facilities Planning Supervisor

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JAN 04 2009

COMMUNITY DEVELOPMENT
DEPARTMENT

February 3, 2009

Rochelle Henson, Senior Planner
City of Manteca
1001 W. Center Street
Manteca, CA 95337

Subject: Notice of Preparation of a Draft Environmental Impact Report

Dear Ms. Henson:

This is to advise you that Manteca Unified is in receipt of the Notice of Preparation of the Draft Environmental Impact Report for the Austin Road Business Park and Residential Community Project.

Please be advised that Manteca Unified is interested in any potential environmental impact that may affect the schools in the immediate area.

Manteca Unified would appreciate your keeping the school district informed of the Environmental Impact Report.

Should you require additional information I can be contacted at (209) 858-0763 or by E-mail: mkarim@musd.net.

Sincerely,

A handwritten signature in cursive script that reads "Mary Karim".

Mary Karim
Facilities Planning Supervisor



City of Ripon

259 N. Wilma Ave. • Ripon, California 95366

Phone 209 599-2108 • Fax 209 599-2685

www.cityofripon.org

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APR 03 2009

COMMUNITY DEVELOPMENT
DEPARTMENT

March 31, 2009

Ms. Erika Hollander
City of Manteca
1001 W. Center Street
Manteca, CA 95337

Re: NOP for the Austin Road Business Park and Residential Community Project

Dear Ms. Hollander:

The City of Ripon appreciates the opportunity to have reviewed the Notice of Preparation (NOP) for the Austin Road Business Park and Residential Community Project draft Environmental Impact Report (EIR). The City of Ripon has an obligation to its residents to ensure that impacts on the community are thoroughly evaluated and mitigated.

The City of Ripon submits the following comments and requests that they be fully addressed in the Final EIR.

1. The City of Ripon concurs with the concerns and issues outlined in the letter from the California Department of Transportation dated February 17, 2009. In that letter, Caltrans correctly notes that a project of this magnitude could seriously degrade levels of service at all of the existing interchanges along the Manteca Bypass (Hwy 120), no matter when the new McKinley Interchange is built. If the McKinley Interchange were to be delayed or "phased in" after large portions of the Project site are developed, the unacceptable levels of service would be exacerbated even further.
2. Of more particular concern to the City of Ripon is the projected impact to the SR-99/Jack Tone Interchange. Caltrans is correct in its observation that this Interchange will experience a degraded LOS as a result of the project. Mitigation should be identified and imposed BEFORE the project develops to reduce projected impacts to the SR-99/Jack Tone Interchange to less than significant levels.

MAYOR

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VICE MAYOR

Chuck Winn

COUNCIL MEMBERS

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Lynette Van Laar

CITY ENGINEER

Kevin Werner

DIRECTOR OF PLANNING &
ECONOMIC DEVELOPMENT

Ken Zuidervaart

DIRECTOR OF PUBLIC WORKS

Ted Johnston

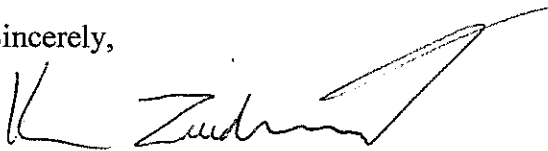
RECREATION DIRECTOR

Kye Stevens

3. Impacts to other county roads leading to and from Ripon are inevitable, and should be addressed meaningfully within the EIR. It is undeniable that a significant portion of the traffic will seek to use county roads heading north and east to the SR-99/Jack Tone Interchange; impacts to these roads must be evaluated and mitigated.
4. The City of Ripon is also concerned that its previous comments and suggestions as to the orientation and design of the roadway network in the vicinity of the Project, including the McKinley Interchange and the possibility of a second interchange, which were made during inter-agency staff meetings, have apparently been ignored or rejected without explanation. We are hopeful that this is an aberration, and not an indication of how the impacts of this project will be addressed in the Draft and Final Environmental Impact Report.
5. Caltrans has highlighted another concern at page 2 of their letter; namely, the possibility that densities and intensities of uses will be modified after project approval, thereby resulting in greater impacts than those studied in the EIR. This can be addressed to some degree in subsequent environmental documents, but it is much better to address the worst-case scenario in the current EIR.
6. We question whether the project is consistent with the State Route 99 Corridor System Management Plan San Joaquin County Area, which was adopted in September 2008. This should be evaluated within the EIR, and the project should be required to achieve consistency with the Master Plan.
7. Potential future land uses should be included on the two parcels on the southern border of the project that are not a part of this project in order to accurately address future potential concerns regarding their use.
8. Another concern of the City of Ripon is the buffer area between the project and the City of Ripon's General Plan boundaries. The NOP fails to address the need for a buffer between the two cities General Plan boundaries or even what an adequate buffer between the two communities should be.

The City of Ripon looks forward to receiving responses to the comments offered above, and hereby requests formal notification of any public hearings that may be scheduled with respect to the proposed project. Again thank you for the opportunity to review and comment on the NOP for the Austin Road Business Park and Residential Community Project draft Environmental Impact Report.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ken Zuidervaart', with a large, sweeping flourish extending to the right.

Ken Zuidervaart, Director
Planning and Economic Development

Cc: City Council
Leon Compton, City Administrator
Tom Terpstra, City Attorney



Ripon Unified School District

304 North Acacia Avenue • Ripon CA 95366 • (209) 599-2131 • Fax (209) 599-6271

Louise Nan Ed. D., *Superintendent*
Kathy Coleman, *Educational Services*
Camille Taylor, *Special Education*

February 17, 2009

Rochelle Henson, Senior Planner
Erika Hollander, Senior Planner
City of Manteca
1001 W. Center Street
Manteca, CA 95337

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FEB 18 2009

COMMUNITY DEVELOPMENT
DEPARTMENT

Dear Ms. Henson and Ms. Hollander:

Thank you for allowing us to comment on the upcoming preparation of a draft environmental impact report for the Austin Road Business Park and Residential Community Project. As you are aware, this project will have far reaching impacts on local agencies including the Ripon Unified School District. Our feedback thus far includes:

1. The RUSD will expect appropriate developer fees from the respective developers through each phase of the project. The City of Manteca should give guidance to the developers as to which projects lie within the boundaries of each district to avoid inadvertent fee collections by the wrong agency.
2. At full build out, this project has the potential to add approximately 1,300 new students to the enrollment in RUSD. These figures were calculated with the acreage measurements and units in your "Notice of Preparation of a Draft Environmental Impact Report for the Austin Road Business Park and Residential Community Project" along with our most current student yield rates in our School Facility Needs Assessment and Developer Fee Justification study conducted in the spring of 2008. The major impact for RUSD will be in phase 3 of the project with a total of 278.3 acres of Low Density Residential within our district boundaries. There was no clear set aside for a new school facility within the scope of the project. The timing of new school construction is very important. With the major impact coming in Phase 3, planning must begin immediately to house those students by the target year.
3. Many environmental issues such as noise, light generation, water quality and quantity, storm drainage and traffic patterns have impact need to be considered in the location of school campuses. This initial document did not describe the plan in sufficient detail to examine such potential impacts.

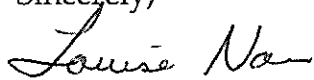
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4. This project will significantly impact the Ripon Unified School District transportation system. Within project boundaries, we would like the opportunity to discuss adequate street width for bus traffic through some of the development, adequate school bus stops, and adequate turn around space on school bus routes. Additionally, schools generate significant automobile traffic and parking concerns which must be fully considered in the draft EIR process.
5. The RUSD currently operates an open enrollment policy with K - 8 schools. The potential student numbers generated by this project will require a new K - 8 school as well as a significant expansion of Ripon High School, currently already an undersized, land locked campus. The district will need to be fully informed of all aspects of this project every step along the way as we plan for the delivery of our high quality educational services to these new residents of our district.

We look forward to working with you in the future as plans for this project continue and the Ripon Unified School District looks forward to participating in the public meeting process as you work on the draft EIR. Thank you for your consideration.

Sincerely,



Louise Nan, Ed.D.
Superintendent
Ripon Unified School District

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