



THE TRAILS OF MANTECA PROJECT

FINAL

ENVIRONMENTAL IMPACT REPORT

SCH No.: 2010072042



January 4, 2011



FINAL
Environmental Impact Report
The Trails of Manteca Project
City of Manteca, San Joaquin County, California
State Clearinghouse No. 2010072042

Prepared for:



City of Manteca
Community Development Department
1001 West Center Street
Manteca, CA 95337
209.456.8522

Contact: Erika Durrer, Senior Planner

Prepared by:

Michael Brandman Associates
Bishop Ranch 3
2633 Camino Ramon, Suite 460
San Ramon, CA 94583
925.830.2733

Contact: Jason Brandman, Project Director



January 4, 2011

TABLE OF CONTENTS

Section 1: Introduction	1-1
Section 2: Responses to Written Comments	2-1
2.1 - List of Authors	2-1
2.2 - Responses to Comments	2-1
Section 3: Responses to Planning Commission Meeting Comments on the Draft EIR	3-1
3.1 - Introduction.....	3-1
3.2 - List of Speakers.....	3-1
3.3 - Planning Commission Meeting Minutes	3-1
3.4 - Responses to Planning Commission Meeting Comments	3-5
Section 4: Errata.....	4-1

Appendix L: Traffic Data Modeling Output

LIST OF TABLES

Table 2-1: Peak Hour Intersection Level of Service Comparison	2-11
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SECTION 1: INTRODUCTION

In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15088, the City of Manteca, as the lead agency, evaluated the comments received on The Trails of Manteca Draft Environmental Impact Report (Draft EIR) (State Clearinghouse No. 2010072042) and has prepared the following responses to comments.

This document is organized into four sections:

- **Section 1 – Introduction.**
- **Section 2 – Responses to Written Comments on the Draft EIR:** Provides a list of the agencies and individuals who commented on the Draft EIR. Copies of all of the letters received regarding the Draft EIR and responses thereto are included in this section.
- **Section 3 – Responses to Planning Commission Meeting Comments on the Draft EIR:** Provides the meeting minutes of the November 9, 2010 Manteca Planning Commission meeting and summaries of oral testimony regarding the Draft EIR. Responses to oral comments are provided.
- **Section 4 – Errata:** Includes an addendum listing refinements and clarifications on the Draft EIR, which have been incorporated.

Because of its length, the text of the Draft EIR is not included with these written responses; however, it is included by reference in this Final EIR. None of the corrections or clarifications to the Draft EIR identified in this document constitutes “significant new information” pursuant to CEQA Guidelines Section 15088.5. As a result, a recirculation of the Draft EIR is not required.

The Final EIR includes the following contents:

- Draft EIR (provided under separate cover)
- Draft EIR appendices (provided under separate cover)
- Responses to Comments on the Draft EIR and Errata (Sections 2, 3, and 4 of this document)
- Mitigation Monitoring and Reporting Program (provided under separate cover)

SECTION 2: RESPONSES TO WRITTEN COMMENTS

2.1 - List of Authors

A list of public agencies and private parties who provided comments on the Draft EIR is presented below. Each comment has been assigned a code. Individual comments within each communication have been numbered so comments can be cross-referenced with responses. Following this list, the text of the communication is reprinted and followed by the corresponding response.

Author

Author Code

State Agencies

California Department of Fish and Game	CDFG
California Department of Transportation	CALTRANS
Governor’s Office of Planning and Research, State Clearinghouse and Planning Unit.....	OPR
California Highway Patrol.....	CHP

Local Agencies

San Joaquin Council of Governments	SJCOG
San Joaquin County Environmental Health Department.....	EHD
San Joaquin Valley Air Pollution Control District.....	SJVAPCD
Reclamation District 2075	RD2075
Reclamation District 17	RD17

Private Parties

Pacific Gas and Electric Company	PG&E
--	------

2.2 - Responses to Comments

2.2.1 - Introduction

In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15088, the City of Manteca, as the lead agency, evaluated the comments received on the Draft EIR (State Clearinghouse No. 2010072042) for The Trails of Manteca Project, and has prepared the following responses to the comments received. This Response to Written Comments document becomes part of the Final EIR for the project in accordance with CEQA Guidelines Section 15132.

2.2.2 - Comment Letters and Responses

The comment letters reproduced in the following pages follow the same organization as used in the List of Authors.



RECEIVED

NOV 03 2010

COMMUNITY DEVELOPMENT
DEPARTMENTCDFG
Page 1 of 2

November 2, 2010

Erika Durrer, Senior Planner
City of Manteca
Planning Division
1001 West Center Street
Manteca, CA 95337

Dear Ms. Durrer:

The Department of Fish and Game (DFG) has reviewed the draft Environmental Impact Report (DEIR) for the Trails of Manteca project (project). The project consists of a plan to construct a 1,650 dwelling-unit planned residential community on approximately 477 acres. The project is located on the southern edge of Manteca, near the San Joaquin River, in San Joaquin County.

CDFG-1

Wildlife habitat resources consist of a large area of Agricultural land near the San Joaquin River. Significant natural resources includes habitat for sensitive species. California Natural Diversity Database files contain records for several State or federal-listed species within 3 miles of the proposed development.

CDFG-2

During our review of the DEIR we note that Manteca intends to mitigate the project affects via participation in the San Joaquin Multi-Species Conservation Plan (SJMSCP). We agree that participations in the SJMSCP offers the best available means of mitigating the project impacts. However, our review of the DEIR revealed some items contained in the DEIR that we feel are inconsistent with participation in the SJMSCP.

CDFG-3

Impact BIO-1 (page 3.4-36 of the DEIR) addresses direct or indirect impacts to special-status species. Instead of citing the project's participation in the SJMSCP as the principal means of addressing direct and indirect impacts, the DEIR proposes to survey for nesting birds (MM BIO-1a). If the survey discovers nesting birds then the measure further specifies delineation of protective buffers and consultation with the DFG. We would like to point out that participation in the SJMSCP obviates the need for these measures. To mitigate the project impacts to sensitive species while avoiding and minimize impacts to those species, participation in the SJMSCP is all that is required. It is not necessary to conduct additional surveys or consult with the wildlife agencies. Similarly the DEIR proposes to mitigate possible impacts to the burrowing owl (*Athene cunicularia*) by using the Burrowing Owl Consortium's, Burrowing Owl Survey Protocol and Mitigation Guidelines (MM BIO-1b).

CDFG-4

These additional measures are not necessary and they may prove to be inconsistent with the requirements of the SJMSCP, its associated Incidental Take Permits, and Implementation Agreement. We recommend that the DEIR be revised so that the DEIR's

CDFG-5

mitigation for direct and indirect impacts to sensitive species is consistent with the SJMSCP. Namely, mitigation for direct and indirect impacts to wildlife should consist of participation in the SJMSCP.

CDFG-5
CONT

Pursuant to Public Resources Code Sections 21092 and 21092.2, the DFG requests written notification of proposed actions and pending decisions regarding this project. Written notifications should be directed to this office.

CDFG-6

Thank you for the opportunity to review this project. If the DFG can be of further assistance, please contact Mr. Dan Gifford, Staff Environmental Scientist, telephone (209) 369-8851 or, Mr., Jeff Drongesen telephone (916) 358-2919.

CDFG-7

Sincerely,



Jeff Drongesen
Acting Environmental Program Manager

ec: Jeff Drongesen
Dan Gifford
Department of Fish and Game

cc: Ellen McBride
U.S. Fish and Wildlife Service
2800 Cottage Way, Room W2605
Sacramento, CA 95825-1888

State Agencies

California Department of Fish and Game (CDFG)

Response to CDFG-1

The agency provided introductory remarks to open the letter. No response is necessary.

Response to CDFG-2

The agency stated that sensitive natural resources are within 3 miles of the project site.

Draft EIR Section 3.4, Biological Resources acknowledged that a number of special-status plant and wildlife species are within 5 miles of the project site, which is consistent with CDFG's comment.

Response to CDFG-3

The agency noted that the Draft EIR states that the City of Manteca intends to mitigate project effects via participation in the San Joaquin Multi-Species Conservation Plan (SJMSCP) and indicated its concurrence with this approach. The agency asserted that its review of the Draft EIR indicated that there are items in the document that are inconsistent with participation in the SJMSCP.

The agency's comments regarding alleged inconsistencies are addressed in Responses to CDFG-4 and CDFG-5.

Response to CDFG-4

The agency referenced Impact BIO-1 and stated that the pre-construction survey requirements set forth in Mitigation Measures BIO-1a and BIO-1b are unnecessary because participation in the SJMSCP addresses these impacts.

As indicated in SJCOG comment letter, pre-construction surveys are required as part of the SJMSCP. Therefore, Mitigation Measures BIO-1a and BIO-1b are not inconsistent with the SJMSCP. Refer to Response to SJCOG-4 for further discussion.

Response to CDFG-5

The agency recommended that the Draft EIR be revised to eliminate Mitigation Measures BIO-1a and BIO-1b and, instead, simply state that participation in the SJMSCP mitigates impacts on these resources.

As indicated in Response to CDFG-4, Mitigation Measures BIO-1a and BIO-1b are not inconsistent with the SJMSCP; therefore, there is no basis for eliminating them.

Response to CDFG-6

The agency recommended written notification of proposed actions and pending decisions regarding the proposed project.

CDFG received a copy of the Final EIR and will receive notice of all public hearings concerning the proposed project.

Response to CDFG-7

The agency provided closing remarks to conclude the letter. No response is necessary.

DEPARTMENT OF TRANSPORTATION

P.O. BOX 2048 STOCKTON, CA 95201

(1976 E. CHARTER WAY/1976 E. DR. MARTIN

LUTHER KING JR. BLVD. 95205)

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November 29, 2010

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10-SJ-120-PM 2.2

SCH# 2010072042

Trails of Manteca

**COMMUNITY DEVELOPMENT
DEPARTMENT**

Erika Durrer
City of Manteca
Community Development Department
1001 West Center Street
Manteca, CA 95337

CALTRANS
Page 1 of 4

Dear Ms. Durrer:

Thank you for your letter to the California Department of Transportation, District 10 Planning, requesting us to review the Draft Environmental Impact Report (DEIR)) for the proposed Trails of Manteca Project. The project site is located in the City of Manteca, bounded by E. Woodward Road (north, S. Woodward Avenue (west). The project site consists of five parcels totaling 477 acres. The Department has the following comments:

CALTRANS-1

Traffic Operations:

1. The Synchro analysis was based on 2% of heavy vehicles at State Route (SR) 120/Yosemite Avenue interchange and Airport Way interchange. This percentage seems too low comparing to the Airport Master Plan traffic study.
2. Weaving Analysis for SR-120 westbound between SR-120/Yosemite Avenue on ramp and I-5 northbound connector is required to be performed for Existing Condition, E+P Condition and all other future scenarios to determine the impacts and mitigations.
3. The proposed project would generate significant traffic volume increases at the ramps at SR-120/Yosemite Avenue and SR-120/Airport Way Under Existing Plus Project conditions. To mitigate the impact, Traffic Operations recommends the following improvements in addition to those traffic mitigations listed in the DEIR

CALTRANS-2

CALTRANS-3

CALTRANS-4

"Caltrans improves mobility across California"

Ms. Durrer
November 29, 2010
Page 2

CALTRANS
Page 2 of 4

and the Traffic Impact Study (TIS).

Location #1 SR-120 Eastbound ramps/Yosemite Avenue

Lengthen acceleration lane at SR-120 eastbound on-ramp to improve the merge junction. The proposed project would degrade the merge from LOS D to LOS E Under Existing Plus Project Conditions.

Location #2 SR-120 Westbound ramps/Yosemite Avenue.

Install All-way Stop Control at the ramp intersection to control the heavy on ramp right turn movement.

Location #7 SR-120 Westbound ramps/Airport Way

Extend northbound left turn channelization to accommodate addition queue length and deceleration length.

Location #9 Artherton Drive/Airport Way

Extend southbound right turn lane to the SR-120 Eastbound ramps intersection. This improvement would reduce the queue length for eastbound off-ramp right turn movement.

CALTRANS-4
CONT

4. Without the proposed new interchange at SR-120/McKinley and reconstructed interchange improvement at SR-10/Airport Way, the proposed project would significantly degrade the ramp intersections and ramp merge/diverge operations to an unacceptable Level of Service under Cumulative Condition. Traffic Operations recommends that these interchange improvements should be completed prior to the proposed project build out. The City of Manteca should condition the proposed project to be constructed in Phases to minimize the traffic impact. Traffic impact fees should be collected toward future roadway improvements. The City of Manteca and SJCOG should work together to secure the funding toward the future interchange improvements.

CALTRANS-5

If you have any questions or would like to discuss our comments in more detail, please contact Kathy Selsor at (209) 948-7190 (e-mail: kathy_selsor@dot.ca.gov) or me at (209) 941-1921.

CALTRANS-6

Sincerely,



TOM DUMAS, CHIEF
OFFICE OF METROPOLITAN PLANNING

C: SMorgan CA Office of Planning & Research

Ms. Durrer
November 29, 2010
Page 3

CALTRANS
Page 3 of 4

bc: TDumas IGR

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

CALTRANS
 Page 4 of 4

ATTENTION:		FROM:	
Erika Durrer		Kathy Selsor Department of Transportation 1976 East Charter Way Stockton, CA 95205	
UNIT/COMPANY:		DATE:	TOTAL PAGES (including Cover Page)
City of Manteca Public Works Department		11/29/10	
		FAX # (Include Area Code)	ATSS FAX
		(209) 948-7164	8-423-7164
DISTRICT/CITY		PHONE # (& Area Code)	ATSS
1001 West Center Street Manteca, CA 95337		(209) 948-7190	8-423-7190
PHONE # (& Area Code)	FAX # (& Area Code)	ORIGINAL DISPOSITION: Destroy ☐ Return ☐ Call for Pickup ☐	
(209) 456-8522	(209) 239-8495		

Comments:

SJ-120-PM 2.2
SCH# 2010072042
Trails of Manteca

California Department of Transportation (CALTRANS)

Response to CALTRANS-1

The agency provided introductory remarks to open the letter. No response is necessary.

Response to CALTRANS-2

The agency noted that the Synchro analysis was based on 2 percent of heavy vehicles at the State Route 120 (SR-120)/Yosemite Avenue interchange and the SR-120/Airport Way interchange and stated that this percentage seems too low in relation to the volumes used in the Northwest Airport Way Master Plan traffic study.

Caltrans Traffic Data Branch truck data shows that the heavy vehicle percentage on the SR-120 mainline is approximately 6 percent. Data regarding heavy vehicle usage at the Yosemite Avenue ramps was unavailable. The Northwest Airport Way Master Plan Draft EIR traffic study presented heavy vehicle data based on actual vehicle classification counts on Lathrop Road, Roth Road, and Airport Way. Given the modest levels of overall traffic using the Yosemite Avenue ramps, the assumed heavy vehicle percentage has relatively little effect on intersection operations. This is illustrated by the results in Table 2-1, which show no changes in delays due to modifying the heavy vehicle mix from 2 percent to a conservative value of 10 percent (Technical calculations are provided in Appendix L). Therefore, a different assumption would not have altered the Draft EIR conclusions.

Table 2-1: Peak Hour Intersection Level of Service Comparison

Intersection	Peak Hour	Draft EIR				Modified With 10 Percent Heavy Vehicles on Ramps			
		Existing		Existing Plus Project		Existing		Existing Plus Project	
		Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
SR-120 Eastbound Ramps/ Yosemite Avenue	AM	10	A	10	B	10	A	10	B
	PM	13	B	17	C	13	B	17	C
SR-120 Westbound Ramps/ Yosemite Avenue	AM	10	A	10	A	10	A	10	A
	PM	10	B	12	B	10	B	12	B
Notes: Delay values represent seconds and are rounded to nearest whole number. Technical calculations provided in Appendix L. Source: Fehr & Peers Transportation Consultants, 2010.									

At the SR-120/Airport Way interchange, the Existing Plus Project analysis assumes 10 percent heavy vehicles on the on and off-ramps, and 5 percent on Airport Way. These assumptions were based on field observations and a heavy vehicle classification count on Airport Way south of Lathrop Road, which revealed 4 percent heavy vehicles. Under Cumulative Conditions, the analysis assumed 5 percent heavy vehicles on the ramps and 3 percent on Airport Way to reflect a greater proportional increase in passenger car volumes.

Response to CALTRANS-3

The agency stated that a weaving analysis for westbound SR-120 between Yosemite Avenue and the I-5 northbound connector is required to be performed for all analysis scenarios.

The Highway Capacity Manual – HCM (Transportation Research Board, 2000) requires weaving analysis only where auxiliary lanes are present. There are no auxiliary lanes present on this segment; therefore weaving analysis is not required. This segment was analyzed as a basic mainline segment in the Draft EIR consistent with procedures described in the HCM.

Response to CALTRANS-4

The agency stated that the proposed project would generate significant traffic volume increases at the SR-120/Yosemite Avenue and SR-120/Airport Way ramps during Existing Plus Project Conditions and recommended the following mitigation measures in addition to those identified in the Draft EIR:

- SR-120 Eastbound Ramps/Yosemite Avenue: Lengthen acceleration lane at SR-120 eastbound on-ramp to improve the merge junction.
- SR-120 Westbound Ramps/Yosemite Avenue: Install an all-way stop control at the ramp intersection to control the heavy on-ramp right turn movement.
- SR-120 Westbound Ramps/Airport Way: Extend northbound left-turn channelization to accommodate additional queue length and deceleration length.
- Atherton Drive/Airport Way: Extend southbound right turn lane to the SR-120 eastbound ramps intersection.

Below are responses to each specified improvement:

- SR-120 Eastbound Ramps/Yosemite Avenue: If the eastbound ramp acceleration lane was lengthened by 250 feet, operations would improve to LOS D. However, this improvement would maintain LOS D for a relatively short period of time, as a 10 percent increase in background traffic would again cause operations to degrade to LOS E. Therefore, the Draft EIR requires that the applicant contribute to the widening of SR-120 to six lanes (via payment of RTIF fees as specified in Mitigation Measure TRANS-2a). The Draft EIR indicates that this merge movement would operate at LOS D under Cumulative Plus Project conditions with the six-lane SR-120 widening.
- SR-120 Westbound Ramps/Yosemite Avenue: The project does not cause a significant impact at this intersection under Existing Plus Project conditions. Therefore, mitigation is not required.
- SR-120 Westbound Ramps/Airport Way: The project does not cause a significant impact at this intersection under Existing Plus Project conditions. Therefore, mitigation is not required.

This intersection would continue operating at LOS C or better and have sufficient storage in the northbound left-turn lane to accommodate the 95th percentile queue.

- Atherton Drive/Airport Way: Lengthening the southbound right turn lane at this intersection would not necessarily reduce queuing in the eastbound off-ramp right-turn movement. The Draft EIR notes that the project would not cause traffic on the eastbound off-ramp at Airport Way to spill back to the SR-120 mainline. It is further noted that the applicant will be conditioned to construct or otherwise fund a traffic signal at the Atherton Drive/Airport Way intersection. This new signal will reduce southbound vehicle queuing, which will reduce the likelihood of vehicle spillbacks to the eastbound ramps intersection.

Response to CALTRANS-5

The agency stated that it recommends that the new interchange at SR-120/McKinley Avenue and the reconstructed interchange at SR-120/Airport Way be completed prior to project buildout because of the significant degradation that would occur at various SR-120 ramps under cumulative conditions. The agency recommended that the City of Manteca condition the project to be constructed in phases to minimize the traffic impact and collect traffic impact fees to fund future roadway improvements.

According to the 2011 RTP, the SR-120/McKinley Avenue interchange is a Tier 1 project, which is expected to open to traffic in 2020. The Draft EIR notes that funding for this new interchange is provided by both Measure K and the RTIF. The City of Manteca is serving as the lead agency to initiate development of the interchange Project Approval and Environmental Document and Design in order to facilitate its environmental clearance, design, and construction. As described in the Draft EIR, this new interchange improvement is expected to open to traffic near the timeframe in which the SR-120/Airport Way interchange degrades to unacceptable levels.

Furthermore, Mitigation Measure TRANS-1a requires the project applicant to provide all transportation-related fees in accordance with the latest adopted fee schedule at the time building permits are sought. As such, the EIR reflects the recommendation concerning payment of traffic impact fees.

It should be noted that the EIR assumed that the proposed project would be completed in one phase in order to provide a conservative evaluation of project impacts. As a practical matter, market demand would result in the proposed project being developed in phases over a period of years. Mitigation Measures TRANS-1b requires the project applicant to install various traffic impacts when determined to be necessary by the City of Manteca, and is intended to reflect the need for such improvements based on the phasing of the project. For these reasons, the City does not consider it necessary to condition the project on being phased.

Response to CALTRANS-6

The agency provided closing remarks to conclude the letter. No response is necessary.



Arnold Schwarzenegger
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Cathleen Cox
Acting Director

November 30, 2010

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

Subject: The Trails of Manteca Project
SCH#: 2010072042

Dear Erika Durrer:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on November 29, 2010, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

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COMMUNITY DEVELOPMENT
PLANNING DIVISION

OPR-1

**Document Details Report
State Clearinghouse Data Base**

SCH# 2010072042
Project Title The Trails of Manteca Project
Lead Agency Manteca, City of

Type EIR Draft EIR

Description The proposed project entails the development of 1,650 dwelling units of various densities and type on approximately 300 acres. Housing units would include 1,178 single family residences, 192 townhomes/garden apartments, and 280 apartments. The project would incorporate a trail system throughout the site of over 12 miles that will eventually connect to City facilities. The proposed project also includes over 75 acres of linear parks.

The proposed project requires a General Plan Amendment, Zone Change, Planned Development Adoption, Tentative Subdivision Map, Development Agreement, and Williamson Act Contract Cancellation.

Lead Agency Contact

Name Erika Durrer
Agency City of Manteca
Phone (209) 456-8522
email
Address 1001 W. Center Street
City Manteca
State CA **Zip** 95337
Fax

Project Location

County San Joaquin
City Manteca
Region
Lat / Long 37° 46' 05" N / 121° 16' 40" W
Cross Streets E. Woodward Road/S. Woodward Road
Parcel No. 241-260-05
Township 2S **Range** 7E **Section** Unsec. **Base** MDB&M

Proximity to:

Highways SR 120; I-5
Airports
Railways UPRR
Waterways Walthall Slough
Schools Manteca Unified
Land Use GP:Low Density Residential, Urban Reserve, and Open Space
Z: Planned Employment Center

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 2; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 10; Department of Housing and Community Development; Air Resources Board, Transportation Projects; Regional Water Quality Control Bd., Region 5 (Sacramento); Department of Toxic Substances Control; Native American Heritage Commission

**Document Details Report
State Clearinghouse Data Base**

OPR
Page 3 of 3

Date Received 10/14/2010 ***Start of Review*** 10/14/2010 ***End of Review*** 11/29/2010

OPR-2
CONT

Governor’s Office of Planning and Research, State Clearinghouse and Planning Unit (OPR)

Response to OPR-1

The comment letter is the standard form letter issued by the Office of Planning and Research, State Clearinghouse, and Planning Unit confirming that the Draft EIR was distributed to various state agencies, and that the City of Manteca has complied with review requirements for draft environmental review documents pursuant to CEQA. No further response is necessary.

Response to OPR-2

This comment consists of the “Document Details Report” provided in the State Clearinghouse database. No response is necessary.

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

3330 Ad Art Road

Stockton, CA 95208

(209) 943-8666

(800) 735-2929 (TT/TDD)

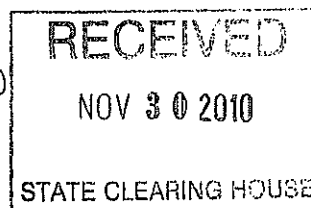
(800) 735-2922 (Voice)



June 10, 2009

File No.: 265.9921.12919Mantecaproject2010

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11/29/10
l.*



State Clearinghouse

1400 Tenth Street, Room 121

Sacramento, CA 95814

To whom it may concern:

Thank you for the opportunity to review the Draft Environmental Report Notice of Completion for the Trails of Manteca Project located in the city of Manteca and south of State Route 120 (SCH#2010072042). This project is situated approximately 4.5 miles west of SR-99 and 2.0 miles east of I-5, and bordered by East Woodward Avenue to the north, and South Woodward Avenue to the west, both of which will be used by commuters to access State Route 120. State Route 120 is commonly used by commuters to access Interstate 5 to the west and State Route 99 to the east.

CHP-1

A project of this size will have an impact on traffic utilizing the surrounding city and county streets as well as the commuters utilizing State Route 120, State Route 99, and Interstate 5. The California Highway Patrol (CHP) has the primary responsibility for traffic enforcement on the above mentioned County Roads, State Routes, and Interstate. These roadways will see an increase in average daily traffic volumes. Specifically, the increase will primarily be felt during peak hour traffic volumes.

CHP-2

The Summary of Environmental Impacts and Mitigation Measures indicate this project would "generate new vehicle trips that would contribute to unacceptable traffic operations under Cumulative Conditions" which would create a "significant unavoidable impact." The Summary also includes mitigation plans to reduce the impact on local traffic. Primarily, it is indicated the Project will pay fees to Caltrans for future improvements to several intersections and the widening of numerous roads impacted by this project. Although future planning is admirable, the CHP has concerns that the project will have an immediate impact on local traffic and commuters. As such, it is important the City of Manteca, the California Highway Patrol, and Caltrans work together in developing short term plans as well as long range plans that are beneficial to all citizens utilizing the transportation system.

CHP-3

The Trails of Manteca Project
Page 2
November 5, 2010

The CHP believes this project will create challenges for daily commuters on an already busy roadway system in the area. As such, this development will directly impact the Stockton CHP's ability to effectively manage traffic without an increase in resources. Should you have any questions, please feel free to call me or Lieutenant Elaine Wallace of my staff at (209) 943-8666.

CHP-4

Sincerely,



J. E. DIAL, Captain
Commander

cc: Special Projects Section

California Highway Patrol (CHP)

Response to CHP-1

The agency provided introductory remarks to open the letter. No response is necessary.

Response to CHP-2

The agency noted that the proposed project will have an impact on local streets and I-5, SR-99, and SR-120. The agency indicated that it has primary traffic enforcement on the aforementioned roadways and the increase in daily traffic volume will be acutely observed during peak hours. No response is necessary.

Response to CHP-3

The agency referenced the Draft EIR's conclusion that traffic operations under Cumulative Conditions would represent a significant unavoidable impact and noted that the proposed project would be required to pay traffic mitigation fees. The agency stated that it is concerned about "immediate" impacts on local traffic and commuters, and recommended that the City of Manteca, CHP, and Caltrans work together in developing short-term and long-range plans that are beneficial to all citizens using the transportation system.

To clarify, the project applicant is required to pay all transportation-related development fees at the time building permits are issued (Mitigation Measure TRANS-1a) and will install specific improvements when determined to be necessary by the City of Manteca (Mitigation Measure TRANS-1b). Additionally, the applicant is required to provide the City with the proportionate costs of various improvements at the SR-120/Airport Way and SR-120/Yosemite Avenue interchanges if an agreement is in place between the City and Caltrans for improvements to these facilities (Mitigation Measure TRANS-2). As such, the applicant will pay fees in accordance with adopted fee programs and will install necessary improvements to mitigate traffic impacts, the latter of which is intended to address "immediate" impacts to the local roadway network.

Furthermore, it should be noted that the City of Manteca, SJCOG, and Caltrans have participated in the development of short-term and long-range transportation plans, most notably the San Joaquin County Regional Transportation Plan. A regional fee program is in place to fund transportation improvements identified by the Regional Transportation Plan, and Mitigation Measure TRANS-1a requires payment of those fees. Thus, the "short-term" and "long-range" plans recommended by the CHP currently exist and the applicant is required to contribute fees to fund improvements contemplated by the plans.

Response to CHP-4

The agency stated that it believes that the proposed project will create challenges for daily commuters on the roadway system in the project vicinity and, therefore, will directly impact the Stockton CHP's ability to effectively manage traffic without an increase in resources.

In the context of CEQA, the primary consideration in evaluating impacts on public service providers is whether the project would cause “substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities” necessary to “maintain acceptable service ratios, response times, or other performance objectives.” (Refer to CEQA Guidelines Appendix G).

The Manteca Police Department would be the primary law enforcement agency that polices the proposed project, as well as City streets used for project-related trips; thus, it was consulted about the need for new or expanded facilities. The Police Department indicated that the revenue generated by the project would be expected to cover the increase in demand attributable to the project. More importantly, the Police Department did not indicate that new or expanded facilities were necessary to serve the project. (The Police Department’s written response is provided in Draft EIR Appendix J).

Although the CHP’s comment states that the project will directly impact its Stockton office’s ability to “effectively manage traffic,” it does not state that new or expanded facilities are necessary to accomplish this task. Rather, the comment implies that additional personnel would be necessary to effectively manage traffic. (It should be noted that the CHP is a state agency and its staffing is determined by the Executive Branch and the State Legislature; the City of Manteca has no control over this issue.) As such, this is not considered a significant impact in the context of CEQA; therefore, no mitigation is warranted.

OCT 26 2010



SJCOG, Inc.

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0600 • FAX (209) 235-0438

San Joaquin County Multi-Species Habitat Conservation & Open Space Plan (SJMSCP)

COMMUNITY DEVELOPMENT
DEPARTMENT

SJMSCP RESPONSE TO LOCAL JURISDICTION (RTLJ) ADVISORY AGENCY NOTICE TO SJCOG, Inc.

To: Erika Durrer, Senior Planner, City of Manteca Community Development Department

From: Kimberly Juarez, SJCOG, Inc.

Date: October 22, 2010

Local Jurisdiction Project Title: Trails of Manteca

Local Jurisdiction Project Number: SCH#2010072042

Assessor Parcel Number(s): 241-260-05

Total Acres to be converted from Open Space Use: 477 acres

Habitat Types to be Disturbed: Agricultural Habitat Land

Species Impact Findings: Findings to be determined by SJMSCP biologist.

SJCOG

Dear Ms. Durrer:

SJCOG, Inc. has reviewed The Notice of Availability Draft EIR SCH# 2010072042. This project consists of development of 1,650 dwelling units of various densities and type on approximately 300 acres. Housing units would include 1,178 single-family residences, 192 townhomes/garden apartments, and 280 apartments. The project would incorporate a trail system throughout the site of over 12 miles that will eventually connect to City facilities. The proposed project also includes over 75 acres of linear parks. The project is located in the City of Manteca, bound by E. Woodward Road (north), S. Woodward Avenue (west), vacant land to the east and the south.

San Joaquin County is a signatory to San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Participation in the SJMSCP satisfies requirements of both the state and federal endangered species acts, and ensures that the impacts are mitigated below a level of significance in compliance with the California Environmental Quality Act (CEQA). **The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measure are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP.** Although participation in the SJMSCP is voluntary, Local Jurisdiction/Lead Agencies should be aware that if project applicants choose against participating in the SJMSCP, they will be required to provide alternative mitigation in an amount and kind equal to that provided in the SJMSCP.

This Project is subject to the SJMSCP. This can be up to a 30 day process and it is recommended that the project applicant contact SJMSCP staff as early as possible. It is also recommended that the project applicant obtain an information package. <http://www.sjcoq.org>

Please contact SJMSCP staff regarding completing the following steps to satisfy SJMSCP requirements:

- Schedule a SJMSCP Biologist to perform a pre-construction survey **prior to any ground disturbance**
- Sign and Return Incidental Take Minimization Measures to SJMSCP staff (given to project applicant after pre-construction survey is completed)
- Pay appropriate fee based on SJMSCP findings. **Fees shall be paid in the amount in effect at the time of issuance of Building Permit**
- Receive your Certificate of Payment and release the required permit

It should be noted that if this project has any potential impacts to waters of the United States [pursuant to Section 404 Clean Water Act], it would require the project to seek voluntary coverage through the unmapped process under the SJMSCP which could take up to 90 days. It may be prudent to obtain a preliminary wetlands map from a qualified consultant. If waters of the United States are confirmed on the project site, the Corps and the Regional Water Quality Control Board (RWQCB) would have regulatory authority over those mapped areas [pursuant to Section 404 and 401 of the Clean Water Act respectively] and permits would be required from each of these resource agencies prior to grading the project site.

If you have any questions, please call (209) 235-0600.



S J C O G, Inc.

San Joaquin County Multi-Species Habitat Conservation & Open Space Plan

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0600 • FAX (209) 235-0438

SJMSCP HOLD

TO: Local Jurisdiction: Community Development Department, Planning Department, Building Department, Engineering Department, Survey Department, Transportation Department,
Other:

FROM: Kimberly Juarez, SJCOG, Inc.

DO NOT AUTHORIZE SITE DISTURBANCE
DO NOT ISSUE A BUILDING PERMIT
DO NOT ISSUE _____ FOR THIS PROJECT

The landowner/developer for this site has requested coverage pursuant to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). In accordance with that agreement, the Applicant has agreed to:

- 1) Implement Incidental Take Minimization Measures (ITMMs) PRIOR to site disturbance. Do not authorize site disturbance until receipt of a signed Agreement to Incidental Take Minimization Measures (ITMMs) AND verification that all applicable ITMMs have been implemented.
- 2) Pay SJMSCP fees. Fees shall be paid in the amount in effect at the time of issuance of Building Permit (see also Appendix). Do not issue a Use Permit until receipt of a Certificate of Payment or Verification of Payment to the Local Jurisdiction (e.g., Receipt) AND verification that all applicable ITMMs have been implemented prior to ground disturbance.

Project Title: Trails of Manteca

Landowner: _____

Applicant: _____

Assessor Parcel #s: 241-260-05

T _____, R _____, Section(s): _____

Local Jurisdiction Contact: Erika Durrer

The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measures are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP.

Local Agencies

San Joaquin Council of Governments (SJCOG)

Response to SJCOG-1

The agency recited the characteristics of the proposed project. No response is necessary.

Response to SJCOG-2

The agency provided background about the SJMSCP. No response is necessary.

Response to SJCOG-3

The agency stated that the proposed project is subject to the SJMSCP and recited various steps necessary for the proposed project to achieve compliance. The steps included a pre-construction survey performed by an SJMSCP biologist, signing and returning the Incidental Take Minimization Measures, payment of appropriate fees prior to issuance of building permits, and receipt of a certificate of payment.

The various steps outlined in this comment are reflected as mitigation measures in the Draft EIR. Mitigation Measures BIO-1a and BIO-1b require pre-construction surveys for nesting birds and the burrowing owl, respectively. Mitigation Measure BIO-6 requires payment of all applicable SJMSCP fees prior to issuance of grading permits.

Response to SJCOG-4

The agency provided a copy of the “SJMSCP Hold” form. No response is necessary.



**San Joaquin County
Environmental Health Department
600 East Main Street
Stockton, California 95202-3029**

*Website: www.sjgov.org/ehd
Phone: (209) 468-3420
Fax: (209) 464-0138*

DIRECTOR
Donna Heran, REHS

PROGRAM COORDINATORS
Robert McClellon, REHS
Jeff Carruesco, REHS, RDI
Kasey Foley, REHS

October 29, 2010

Erika Durrer, Senior Planner
Community Development Department
Planning Division
City of Manteca
1001 West Center Street
Manteca, California 95337

**Subject: Notice of Availability of a Draft Environmental Impact Report for the
Trails of Manteca Project – SCH# 2010072042**

The San Joaquin County Environmental Health Department (EHD) does not have any comments in addition to those submitted previously on August 12, 2010.

If you have any questions, please call Rodney Estrada, Lead Senior Registered Environmental Health Specialist, at (209) 468-0331.

A handwritten signature in black ink, appearing to read "Rodney Estrada".

Rodney Estrada,
Lead Senior REHS

RE:tl

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NOV 09 2010

COMMUNITY DEVELOPMENT
DEPARTMENT

EHD-1



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OCT 15 2010

ENVIRONMENT HEALTH
PERMIT/SERVICES

**NOTICE OF AVAILABILITY
OF THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR
THE TRAILS OF MANTECA PROJECT - SCH# 2010072042**

TO: Responsible and Interested Parties –Distribution List **FROM:** City of Manteca
Community Development Department
Planning Division
1001 West Center Street
Manteca, CA 95337

In accordance with the California Environmental Quality Act (CEQA) and the State CEQA guidelines, the City of Manteca (City) (as lead agency) has prepared a Draft Environmental Impact Report (Draft EIR) to evaluate the environmental effects associated with the proposed Trails of Manteca Project. In accordance with Section 15087 of the CEQA Guidelines, the City has prepared a Notice of Completion and this Notice of Availability to provide responsible and interested parties with information about the project details regarding the public comment period, document availability, and public meeting.

Project Title: TRAILS OF MANTECA

Project Applicant: Weatherbee Properties, LLC, 3000 Danville Blvd., Suite F545, Alamo, CA 94507

Project Description:
See Attached.

Project Location: (See enclosed Project Location Map)
See Attached.

Public Comment Period:

The public comment period for the Draft EIR begins on October 14, 2010 and closes on November 29, 2010. Please submit comments by 5:00 p.m. on November 29, 2010 to **Erika Durrer, Senior Planner, at the address above or by email at edurrer@ci.manteca.ca.us**

EHD-2

Public Comment Meeting: Tuesday, November 9, 2010, at 7:00pm at the City of Manteca Council Chambers, 1001 West Center Street, Manteca, CA 95337

Document Availability: Copies of the Draft EIR are available for public review at the following locations:

City of Manteca Website

www.ci.manteca.ca.us please go to Community Development Department, Planning Division to find the complete document.

Manteca City Clerk

1001 West Center Street
Manteca, CA 95337

City of Manteca Community Development Department

1001 West Center Street
Manteca, CA 95337

Stockton-San Joaquin County Public Library

Manteca Branch Library

320 West Center Street
Manteca, CA 95336

Attachments: Notice of Completion, Draft Environmental Impact Report (DEIR)

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #2010072042

Project Title: The Trails of Manteca Project

Lead Agency: City of Manteca

Contact Person: Erika Durrer, Senior Planner

Mailing Address: 1001 W. Center Street

Phone: (209) 456-8522

City: Manteca

Zip: 95337

County: San Joaquin

Project Location: County: San Joaquin

City/Nearest Community: Manteca

Cross Streets: E. Woodward Road / S. Woodward Road

Zip Code: 95337

Longitude/Latitude (degrees, minutes and seconds): 37 ° 46 ' 05 " N / 121 ° 16 ' 40 " W **Total Acres:** 477

Assessor's Parcel No.: 241-260-05

Section: Unsec **Twp.:** 2 South **Range:** 7 East **Base:** Diablo

Within 2 Miles: State Hwy #: SR-120; I-5

Waterways: Walthall Slough

Airports:

Railways: Union Pacific

Schools: Manteca Unified

Document Type:

CEQA:

☐ NOP

☒ Draft EIR

☐ Early Cons

☐ Supplement/Subsequent EIR

☐ Neg Dec

(Prior SCH No.)

☐ Mit Neg Dec

Other:

NEPA:

☐ NOI

Other:

☐ Joint Document

☐ EA

☐ Final Document

☐ Draft EIS

☐ Other:

☐ FONSI

Local Action Type:

☐ General Plan Update

☐ Specific Plan

☒ Rezone

☐ Annexation

☒ General Plan Amendment

☐ Master Plan

☐ Prezone

☐ Redevelopment

☐ General Plan Element

☒ Planned Unit Development

☐ Use Permit

☐ Coastal Permit

☐ Community Plan

☐ Site Plan

☒ Land Division (Subdivision, etc.)

☐ Other:

Development Type:

☒ Residential: Units 1,650

Acres

☐ Office: Sq.ft.

Acres

Employees

☐ Transportation: Type

☐ Commercial: Sq.ft.

Acres

Employees

☐ Mining: Mineral

☐ Industrial: Sq.ft.

Acres

Employees

☐ Power: Type

MW

☐ Educational:

☐ Waste Treatment: Type

MGD

☐ Recreational:

☐ Hazardous Waste: Type

☐ Water Facilities: Type

MGD

☐ Other:

Project Issues Discussed in Document:

☒ Aesthetic/Visual

☐ Fiscal

☒ Recreation/Parks

☒ Vegetation

☒ Agricultural Land

☒ Flood Plain/Flooding

☒ Schools/Universities

☒ Water Quality

☒ Air Quality

☒ Forest Land/Fire Hazard

☒ Septic Systems

☒ Water Supply/Groundwater

☒ Archeological/Historical

☒ Geologic/Seismic

☒ Sewer Capacity

☒ Wetland/Riparian

☒ Biological Resources

☒ Minerals

☒ Soil Erosion/Compaction/Grading

☒ Growth Inducement

☐ Coastal Zone

☒ Noise

☒ Solid Waste

☒ Land Use

☒ Drainage/Absorption

☒ Population/Housing Balance

☒ Toxic/Hazardous

☒ Cumulative Effects

☒ Economic/Jobs

☒ Public Services/Facilities

☒ Traffic/Circulation

☐ Other:

Present Land Use/Zoning/General Plan Designation:

Low Density Residential, Urban Reserve, and Open Space (General Plan); Planned Employment Center (Zoning)

Project Description: (please use a separate page if necessary)

The proposed project entails the development of 1,650 dwelling units of various densities and type on approximately 300 acres. Housing units would include 1,178 single-family residences, 192 townhomes/garden apartments, and 280 apartments. The project would incorporate a trail system throughout the site of over 12 miles that will eventually connect to City facilities. The proposed project also includes over 75 acres of linear parks.

The proposed project requires a General Plan Amendment, Zone Change, Planned Development Adoption, Tentative Subdivision Map, Development Agreement, and Williamson Act Contract Cancellation.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

San Joaquin County Environmental Health Department (EHD)

Response to EHD-1

The agency stated that it does not have any comments beyond those submitted in its August 12, 2010 comment letter in response to the Notice of Preparation.

EHD recommended in its August 12, 2010 letter that any existing wells and septic systems within the project site be destroyed under permit and inspection by the agency. EHD recommended that any existing residences or businesses that remain should be connected to public sewer and public water.

The Draft EIR referenced EHD's recommendations on page 3.7-14, and Mitigation Measure HAZ-1d requires these recommendations to be implemented. In addition, as stated on page 2-15, the proposed project would be served by potable water and sewer service provided by the City of Manteca.

Response to EHD-2

The agency provided a copy of the Notice of Availability. No response is necessary.

Response to EHD-3

The agency provided a copy of the Notice of Completion. No response is necessary.



San Joaquin Valley

AIR POLLUTION CONTROL DISTRICT



RECEIVED

November 8, 2010

NOV 15 2010

COMMUNITY DEVELOPMENT
DEPARTMENT

Erika Durrer
City of Manteca
Community Development Department
1001 W. Center Street
Manteca, CA 95337

Subject: Comments on Proposed Project

Project: Draft Environmental Impact Report for the Trails of Manteca Project
District CEQA Reference No: 20090228

Dear Ms. Durrer:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Draft Environmental Impact Report (DEIR) for the Trails of Manteca Project. The proposed project will include 1,178 single-family residences, 192 townhomes/garden apartments, 280 apartments and over 12 miles of trails. The District offers the following comments:

SJVAPCD-1

District Comments

- 1) Mitigation Measure AIR-1c states that the project applicant shall demonstrate compliance with all applicable requirements of Rule 9510 (Indirect Source Review) via the submittal of a Rule 9510 Implementation Plan to the City of Manteca for review and approval. This Mitigation Measure states that a 33% reduction in NOx and 45% reduction in PM10 over the first ten years of operations are to be demonstrated in such Plan. In addition to this Plan, the District is requesting that clarification be made to the Mitigation Measure to be consistent with the Rule 9510 discussion included on page 3.3-19 of the DEIR. If approval of the subject project constitutes the last discretionary approval by your agency, the District recommends that demonstration of compliance with District Rule 9510, including payment of all applicable fees before issuance of the first building permit, be made a condition of project approval.

SJVAPCD-2

Rule 9510 requires any applicant subject to District Rule 9510 to submit an Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval, and to pay any applicable off-site mitigation fees before issuance of the first building permit. Rule 9510 requirements is to reduce

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

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

construction NOx and PM10 emissions by 20% and 45%, respectively, as well as reducing operational NOx and PM10 emissions by 33.3% and 50% respectively. Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>.

SJVAPCD-2
CONT

2) To assist project proponents and Lead Agencies in mitigating project specific impacts the District provides opportunity to participate in a Voluntary Emission Reduction Agreement (VERA). Project proponents may enter into a voluntary VERA with the District to reduce project specific related impacts on air quality to a less than significant level. A VERA is an instrument by which the project proponent provides monies to the District to fund emission reduction projects that achieve the level of mitigation required by the lead agency. A VERA is implemented through the District's Strategy and Incentives Program. Information concerning participation in a VERA can be obtained by calling (559) 230-6000 and asking to speak to a District CEQA staff member.

SJVAPCD-3

3) The proposed project may be subject to District Rules and Regulations, including: Regulation VIII, (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (209) 557-6446. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.

SJVAPCD-4

4) The District recommends that a copy of the District's comments be provided to the project proponent.

SJVAPCD-5

If you have any questions or require further information, please call Patia Siong at (559) 230-5930.

SJVAPCD-6

Sincerely,

David Warner
Director of Permit Services



Arnaud Marjollet
Permit Services Manager

DW:ps
cc: File

San Joaquin Valley Air Pollution Control District (SJVAPCD)

Response to SJVAPCD-1

The agency provided introductory remarks to preface the letter. No response is necessary

Response to SJVAPCD-2

The agency referenced Mitigation Measure AIR-1c, which requires compliance with the SJVAPCD Indirect Source Review (Rule 9510), and requested that the mitigation measure be revised to be consistent with the discussion on page 3.3-19 of the Draft EIR. The agency requested that the City of Manteca require payment of all applicable Rule 9510 fees as a condition of approval. The agency advised that the applicant will be required to submit an Air Impact Assessment to SJVAPCD no later than applying for final discretionary approval and pay any applicable offsite mitigation fees prior to issuance of the first building permit.

Pursuant to the agency's request, Mitigation Measure AIR-1c has been revised to reflect the discussion on page 3.3-19 of the Draft EIR concerning percent reduction of fine particulate matter (PM₁₀) during the first 10 years of project operations.

The City of Manteca, as a standard condition of approval, requires all projects to pay applicable fees to the SJVAPCD. The proposed project will be subject to this condition.

The project applicant is aware of the application requirements and intends to submit an Air Impact Assessment to SJVAPCD prior to the City Council meeting at which the project would be considered for final approval.

Response to SJVAPCD-3

The agency advised that the SJVAPCD offer Voluntary Emission Reduction Agreements that would allow project applicants to pay fees as a way of reducing impacts on air quality. No response is necessary.

Response to SJVAPCD-4

The agency listed several rules that may be applicable to the proposed project, including Regulation VIII (Fugitive PM Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations), and Rule 4002 (National Emissions Standards for Hazardous Air Pollutants). The agency provided information about where other rules can be found.

Applicable SJVAPCD rules to the proposed project were listed on pages 3.3-18 and 3.3-19 of the Draft EIR. In addition, Mitigation Measure AIR-1a requires dust abatement measures in accordance with Regulation VIII (Fugitive PM Prohibitions), Mitigation Measure AIR-1c requires compliance with Rule 9510 (Indirect Source Review), and Mitigation Measure AIR-1d requires compliance with Rule 4901 (Wood Burning Heaters, Fire Places, or Outdoor Wood Burning Devices). As such, the EIR identifies applicable rules and requires compliance with them, as necessary.

Response to SJVAPCD-5

The agency recommended that the project applicant be provided with a copy of its comments.

The project applicant received a copy of the Final EIR, which includes the SJVAPCD comment letter and responses.

Response to SJVAPCD-6

The agency provided closing remarks to conclude the letter. No response is necessary.

23443 Hays Rd.
Manteca, CA 95337
November 10, 2010

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NOV 12 2010

COMMUNITY DEVELOPMENT
DEPARTMENT

Erika Durrer, Senior Planner
City of Manteca
Community Development Department, Planning Division
1001 West Center Street
Manteca, CA 95337

RE: Trails of Manteca Draft EIR

Dear Ms. Durrer:

My name is Alex Hildebrand. I am a farmer south of the proposed Trails of Manteca project. I am also a licensed engineer. I have been asked to comment on the October 14 Draft EIR on behalf of Reclamation District 2075. These comments have been reviewed and approved by various members of RD 2075, including the President. We find it to be deficient in respect to the impact on farms, the disposal of storm drainage, the disposal of seepage during floods, the effects on groundwater, the assurances of a water supply, and the disposal of increased salt load.

RD2075-1

Effect on Farms

On page ES-2 the draft EIR acknowledges that it will not mitigate the conversion of farm land to urban use, and states that this is unavoidable. However, the draft EIR seriously understates the project's effect on surrounding agriculture and does not consider the somewhat reduced impact if the project was located on poor quality soil outside the city of Manteca instead of on prime soils.

RD2075-2

The draft EIR does not cite the Right to Farm ordinance. That ordinance is well intended but not very effective. Urban residents complain about the dust, noise, night operations, etc. of farming, and urbans have more potential clout than farmers. The air application of herbicides and other materials on nearby farms is usually prohibited. Irrigation ditches and ponds can be considered a hazard to children. Problems with theft and vandalism on farms increase at the urban interface.

RD2075-3

The people in housing projects need farm products, but the conversion of farm land to urban use destroys farms. The farms are not replaced and the urbans often use the water previously used to produce food. Should this project be required to acquire as much farmland as it destroys?

RD2075-4

Disposal of Storm Runoff

The draft EIR is not explicit about how it will dispose of storm water runoff, particularly in extreme situations. When the land is farmed it has little or no storm

RD2075-5

November 10, 2010
Page Two

runoff. Urbanization results in substantial runoff. During a 1983 type flood the flood stage in the river is higher than the land. The water table then rises on the land side of the levee. There are places in RD 2064 where the water table first rises to the surface about a mile inland from the levee because seepage travels rapidly along old buried stream channels. What will happen to the water table in this project's urban area?

RD2075-5
CONT

Will storm runoff be retained in the area until the water table drops or will it be discharged into Walthall Slough? Pumps at the downstream end of the Slough pump slough water up into the flooded river. Who will pay for the cost of pumping more water?

Disposal of Salt

Drainage from urban areas contains much more salt load than typical drainage from farm lands. If this salt seeps to groundwater it salinizes the groundwater. If it is discharged to the river it can not now be conveyed to the Bay because there is now seldom sufficient flow from the San Joaquin River to the Bay. The Regional Water Quality Control Board has granted permits to discharge urban drainage into Delta channels at salinities above the established salinity standards in those channels. How would the proposed project be affected if the Regional Board stopped issuing these permits to discharge salt at damaging concentrations?

RD2075-6

Source of Water Supply

On page ES-2-15 and 3.12-10 it is provided that the project's water will be supplied from City of Manteca wells. It acknowledges that the Manteca wells take groundwater from the same groundwater basin that extends north of Stockton. There may be an adjudication to establish the responsibility of each groundwater pumper to prevent depletion of the entire groundwater basin, and to prevent the migration of salt water from west to east into the aquifer. If this adjudication occurs, how may it affect the water supply for this project?

RD2075-7

Other Projects

The draft EIR also does not address the potential effect on this project if other projects, including the Bay Delta Conservation Plan (BDCP), are implemented. If the presently proposed water bond is passed in 2012 it will authorize, fund, and implement the BDCP. That plan as now proposed would destroy levees including RD 2075, RD 2094 and RD 2096. If all proposed non-urban Delta levees are destroyed the farms will be destroyed, and the Delta will convert to a salty inland bay. How would this affect the project?

RD2075-8

November 10, 2010
Page Three

Sincerely,

A handwritten signature in cursive script, appearing to read "Alex Hildebrand".

Alex Hildebrand

RD2075-9

Cc: Al Hoslett
John Herrick
Dante J. Nomellini
Mel Lytle
Tom Flinn
Brian Mizuno

Reclamation District 2075 (RD2075)

Response to RD2075-1

The agency provided introductory remarks and background regarding Reclamation District No. 2075 (RD 2075). No response is necessary.

Response to RD2075-2

The author referenced a statement on page ES-2 of the Draft EIR regarding significant unavoidable impacts to Important Farmland and asserted that the document “seriously understates” the project’s effect on surrounding agriculture and does not consider the somewhat reduced impact if the project were located on poor soil quality outside of the City of Manteca instead of on prime soils.

The Draft EIR discusses impacts on surrounding agricultural uses in several places, including pages 3.2-16 through 3.2-20 and 3.9-10 through 3.9-48. The Draft EIR concludes that the agricultural uses that immediately surround the project site to the north and east are currently within the Manteca city limits and are contemplated to convert to urban uses by the City of Manteca General Plan. Thus, these lands are not anticipated to remain in agricultural use over the long term, which the EIR acknowledged and disclosed.

Regarding the potential for reduced impacts if the project were located in an area of poor soil quality outside of the City of Manteca, the Draft EIR’s alternatives analysis did consider the potential for an alternative project location on page 5-17. As stipulated by CEQA Guidelines Section 15126.6(f)(2), a feasible alternative location must be within the jurisdictional control of the City of Manteca (i.e., city limits or Sphere of Influence). The Draft EIR evaluated potential alternative locations and found that only potentially feasible site was immediately north of the project site. This site is mapped as containing Prime Farmland and Farmland of Statewide Importance; therefore, developing the proposed project on this site would not avoid the significant unavoidable impact associated with conversion of Important Farmland to non-agricultural use.

Furthermore, nearly every other undeveloped site of significant acreage within the Manteca city limits and Sphere of Influence is mapped as either Prime Farmland or Farmland of Statewide Importance. Thus, there are no sites with poor agricultural soil quality suitable for accommodating the proposed project within the jurisdiction of the City of Manteca.

Response to RD2075-3

The author stated that the Draft EIR does not cite the Right to Farm Ordinance, which he characterizes as “well intended but not very effective.” The author asserted that there are land use compatibility issues between urban and agricultural uses including dust, noise, night operations, pesticide application, safety hazards associated with irrigation ditches and ponds, and the potential for theft and vandalism.

The Draft EIR addressed the potential for land use conflicts between agricultural uses and urban uses on pages 3.2-19 and 3.2-20. As stated on those pages, the agricultural uses immediately west, north,

and east of the project site are within the Manteca city limits and are contemplated to convert to urban uses by the City of Manteca General Plan. Several of these properties are currently the subject of pending development proposals before the City of Manteca. Therefore, the agricultural uses that surround the site to the west, north, and east are most appropriately treated as “interim uses,” and will ultimately transition to urban uses.

The agricultural uses south of the project site are in unincorporated San Joaquin County and are physically separated from the project by Walthall Slough. These land uses are outside the Manteca Planning Area and, therefore, are expected to remain in agricultural production for the foreseeable future. As noted on page 3.2-19 of the Draft EIR, the City of Manteca General Plan Policy RC-P-24 identifies the use of buffers at the interface between urban development and farmland to prevent and minimize land use conflicts. Walthall Slough would serve as buffer between the proposed project and the agricultural uses to the south and, therefore, is consistent with this policy. Furthermore, a 177-acre area with the project site between the slough and the dry levee would be dedicated for open space uses, which would further buffer the proposed project from the agricultural uses to the south. For these reasons, the proposed project would be appropriately buffered from the agricultural land uses to the south, which would serve to minimize or prevent the problems outlined by the author.

Finally, the Right to Farm Ordinance was not cited as a regulation that mitigates any of the proposed project’s impacts and, therefore, was not mentioned in the Draft EIR. As such, whether it is effective or not is not germane to the Draft EIR’s analysis.

Response to RD2075-4

The author provided commentary on the conversion of farmland to urban use and rhetorically asked if the proposed project should be “required to acquire as much farmland as it destroys?”

Mitigation Measure AG-1 requires the project applicant to provide the City of Manteca with the agricultural mitigation fee in accordance with Municipal Code Chapter 13.42. This measure would mitigate for the proposed project’s impacts on conversion of farmland to non-agricultural uses, and the fees collected would be used to permanently preserve farmland elsewhere. Because the lead agency has an established fee program to mitigate for this impact, this is an appropriate method of mitigation for this impact. Thus, the proposed project would pay to preserve existing farmland.

Response to RD2075-5

The author stated that the Draft EIR is not explicit about how the project will dispose of stormwater runoff, particularly during extreme situations. The author stated that there are places within Reclamation District 2064 where the water table rises to the surface roughly 1 mile inland from the nearest levee and inquired about what will happen to the water table within the project site. The author also inquired whether stormwater runoff would be retained until after the water table drops or if it would be discharged into Walthall Slough. The author noted that pumps at the downstream end of Walthall Slough pump water into the flooded river.

The Draft EIR describes the proposed storm drainage facilities on page 2-15. As stated on that page, an onsite storm drainage system would be installed and runoff would be conveyed to onsite retention basins, which would regulate release into downstream waterways. From there, runoff would be released into Walthall Slough via an outfall and swale.

Additionally, Mitigation Measure HYD-4 requires the applicant to prepare and submit a drainage plan to the City of Manteca for review and approval. The mitigation measure requires the applicant to provide a detailed drainage plan that demonstrates that attainment of pre-project runoff requirements prior to release into Walthall Slough (refer to text revisions in Section 3, Errata). As such, this provides certainty that stormwater releases would be regulated and released at a controlled rate, such that they would not inundate downstream waterways.

Regarding water table issues, the potential for groundwater to surface behind the levee was addressed in Impact HYD-6. The analysis indicated that with the installation of a sub-surface drainage system between the levee and residential uses, this issue would not pose a significant threat to the project during a high water stage event. Mitigation Measure HYD-4 includes a provision requiring a sub-surface drainage system along the levee.

In summary, the Draft EIR provides sufficient detail about the proposed drainage facilities and identifies necessary mitigation to ensure that the project does not contribute to downstream flood conditions or experience onsite flooding from high groundwater levels.

Response to RD2075-6

The author stated that runoff from urban areas contains more salt than agricultural runoff and asserted that it creates problems if discharged into the ground or downstream waterways. The author claimed that the Regional Water Quality Control Board (RWQCB) has granted permits to discharge urban drainage into the Delta channels at salinities above the established salinity standards in those channels, and inquired what would occur if the RWQCB stopped issuing such permits.

Mitigation Measures HYD-1 and HYD-2 require the implementation of stormwater pollution prevention measures during construction and operations, respectively. Both mitigation measures identify structural and non-structural water pollution prevention measures that are intended to prevent urban pollutants, including salts, from being discharged into downstream waterways. Furthermore, Mitigation Measure HYD-4 requires that runoff be impounded onsite and released at a controlled rate. As part of the impoundment process, certain pollutants would percolate and be sequestered in the soil; thus, these pollutants would not enter downstream waterways.

Furthermore, as discussed on page 3.8-2 of the Draft EIR, the reach of the San Joaquin River in the project vicinity is listed as an impaired water body on the 2006 Clean Water Act 303(d) list for DDT, Group A pesticides, mercury, toxaphene, and unknown toxicity (refer to text revisions in Section 3, Errata). The 303(d) indicates that the DDT, Group A pesticides, and unknown toxicity pollutants are

from agricultural land uses, and the mercury pollution is from resource extraction; urban runoff is not listed as a source of any of these pollutants. Thus, non-urban land uses rather than urban land uses are the identified sources of pollution in the reach of the San Joaquin River nearest the project site.

Finally, urban stormwater discharge that occurs within the City of Manteca is governed by General Permit Number CAS000004, Water Quality Order No. 2003-0005-DWQ issued April 30, 2003. All stormwater dischargers within the city limits are obligated to comply with the applicable provisions of the City's Stormwater Management Program, which was prepared pursuant to the General Permit. The City's stormwater discharge activities are currently in compliance with the provisions of the General Permit; therefore, it would be speculative to evaluate scenarios in which the terms of the permit change.

Response to RD2075-7

The author referenced a statement from pages ES 2-15 and 3.12-10 of the Draft EIR regarding potable water supply and noted that the City relies on groundwater as its primary source of water supply. The author claimed that there may be an adjudication to establish the responsibility of each groundwater pumper to prevent depletion of the groundwater basin and prevent saltwater intrusion. The author inquired how it may affect the water supply for the proposed project.

The City of Manteca prepared a Water Supply Assessment for the proposed project that is summarized in the Draft EIR in Section 3.12, Public Services and Utilities and provided in its entirety in Appendix J. The Water Supply Assessment indicated that surface water is the largest source of the City's potable water supply, with groundwater being the second-largest source (Table 3.12-5). Additionally, the City uses recycled water for non-potable use, which reduces demand for potable water sources (Table 3.12-5). Thus, the City has several water sources available and is not solely dependent on groundwater.

Furthermore, as discussed on page 3.12-8 of the Draft EIR, the City's water supply planning projections acknowledge that the groundwater basin is in a state of overdraft and limit groundwater extractions to no more than 13,790 acre-feet annually. The City's water supply planning projections also contemplate the increased use of surface water and recycled water to offset the limitations on future groundwater use, indicating that the City has proactively addressed the potential for groundwater pumping restrictions.

Finally, the Water Supply Assessment concluded that with the implementation of an additional groundwater well and various water conservation measures, the project would be served with adequate water supply. Therefore, substantial evidence exists indicating that adequate water supplies are available.

Response to RD2075-8

The author claimed that the Draft EIR does not address the potential effect on this project if other projects, including the Bay Delta Conservation Plan, are not implemented. The author stated that the

Bay Delta Conservation Plan contemplates the destruction of levees within RD 2075, RD 2094, and RD 2096, which would result in the Delta being converted to a salty inland bay. The author stated that the Bay Delta Conservation Plan would be funded by a proposed water bond, which is scheduled to be placed on the 2012 ballot for voter consideration.

At the time of release of The Trails of Manteca Project Notice of Preparation (July 2010) and Draft EIR release (October 2010), neither the public review draft of the Bay Delta Conservation Plan nor the Environmental Impact Statement/Environmental Impact Report (EIS/EIR) had been released. According to the Bay Delta Conservation Plan website, these documents will not be released until the second half of 2011¹. As such, it would be speculative to comment on any proposed activities contemplated by the Bay Delta Conservation Plan, as the relevant documents are not publicly available at the time of this writing.

Furthermore, it should be emphasized that the project site is not within the boundaries of RD 2075, RD 2094, and RD 2096, and is not protected by any levees located within these reclamation districts. (Note that the project site is within the boundaries of RD 17). Thus, to the extent that the Bay Delta Conservation Plan contemplates any alternations to these levees, they do not have bearing on the flood protection status of the proposed project.

Response to RD2075-9

The agency provided closing remarks to conclude the letter. No response is necessary.

¹ Schedule available at <http://bdcweb.com/Schedule/PlanDevelopmentSchedule.aspx>.

Durrer, Erika

From: Nomellini, Grilli & McDaniel PLCs [ngmplcs@pacbell.net]
Sent: Monday, November 29, 2010 3:57 PM
To: Durrer, Erika
Cc: 'Chris Neudeck'; Stone, Jim
Subject: The Trails of Manteca Project DEIR
Attachments: RD 17 Comments TheTrailsof Manteca 5-19-09.pdf

Erika Durrer: Reclamation District No. 17 submits the following comments. Attached please find copy of May 19, 2009 letter from Kjeldsen, Sinnock & Neudeck, Inc to Mark Meissner commenting on the preliminary tentative map for the above project. Such comments are incorporated herein. Since such comments were submitted the setback required by DWR and the USACE has increased from 10ft to 15ft and the RD 17 Levee Setback Standard should be adjusted accordingly. Engineering and O&M requirements are evolving and becoming more rigid. Excavations for swimming pools and other purposes outside the levee easements are increasingly being recognized as having the potential for affecting under seepage and therefore levee stability. Location of ample open space along the levees coupled with a single loaded street as a buffer from development is highly recommended. The recommendation if followed, will add flexibility to accommodate future levee requirements, avoid conflicting encroachments and improve access for patrol and floodlighting. Thank you for your consideration. Dante John Nomellini, Secretary and Counsel for Reclamation District No 17

RD17-1

Nomellini, Grilli & McDaniel
Professional Law Corporations
235 East Weber Avenue
Stockton, CA 95202

Mailing address:

P.O. Box 1461
Stockton, CA 95201-1461
Telephone: (209) 465-5883
Facsimile: (209) 465-3956
Email: ngmplcs@pacbell.net

RECEIVED

NOV 29 2010

COMMUNITY DEVELOPMENT
DEPARTMENT

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KJELDSSEN, SINNOCK & NEUDECK, INC.
CONSULTING ENGINEERS & LAND SURVEYORS

KENNETH L. KJELDSSEN
STEPHEN K. SINNOCK
CHRISTOPHER H. NEUDECK

711 N. PERSHING AVENUE
POST OFFICE BOX 844
STOCKTON, CALIFORNIA 95201-0844

TELEPHONE 946-0268
FAX NO. 946-0296
AREA CODE 209

856.011 01-116

May 19, 2009

Mr. Mark Meissner
Planning Manager
City of Manteca
Community Development Department
1001 W. Center Street
Manteca, CA 95337

**Re: Reclamation District No. 17 (RD 17)
The Trails at Manteca (PROJECT)
Tract 3729
Weatherbee Properties, LLC
City of Manteca, San Joaquin County
Preliminary – Tentative Map**

Dear Mr. Meissner:

These comments are being submitted on behalf of RD 17 relative to the subject Preliminary Tentative Map. Thank you for meeting with RD 17's staff and the owners of the Trails of Manteca this last Friday here at my office. As you are aware, important planning issues brought up in our meeting include the impacts associated with seepage through and under the levee, together with high ground water within the proposed developed areas particularly during high-water events. This seepage and high groundwater must be addressed in any plan that includes development along RD 17's levee.

RD17-2

During the 1997 flood event seepage occurred along RD 17's levee in the project area when upstream agricultural levees failed. The District, the State and the U.S. Army Corps of Engineers repaired the seepage areas of concern either during or immediately after the flood event, however, a new more stringent approach to seepage is desired. In June of 2007 the California Department of Water Resources (DWR) wrote the City of Lathrop taking exception to RD 17's continued FEMA accreditation and even the granting of Provisional Accreditation based on seepage concerns.

RD17-3

To address this seepage impact, a landside berm needs to be constructed at the toe of the levee. The dimension of such a toe berm is set forth in the attached RD 17 "Levee Setback Standard". During the course of our meeting on Friday, it was discussed by Joe Tootle of Engco that the three (3) feet of fill that the Project was planning as part of their overall grading plan was adequate for buttress purposes provided that the bottom of the fill consist of two (2) feet of drain material and a seepage drain with piping laterals to convey the seepage water to the Project's

Page 2
May 20, 2009

storm drainage system was installed. RD 17 requests that the Project revise their grading plan to reflect these recommendations along with a submittal from Engeo detailing their geotechnical design consideration for the toe berm.

RD17-3
CONT

As we discussed in our meeting, RD 17 strongly recommends that the subdivision be laid out where the land use adjacent to the toe berm is a singly loaded street. The proposed subdivision shows open space along most of the levee and the purpose of abutting the berm with a singly loaded street is to set the residential improvements back far enough so as to not be impacted from future seepage from the levee and provide separation from present and future levee improvements as well as operation, maintenance and floodfights.

The seepage toe berm does not cut off seepage but rather safely conveys the seepage water into the Projects storm drainage system. The improvements along the levee alignment that could possibly adversely impact the seepage potential include but are not limited to excavations such as drainage retention/detention basins and pools. RD 17 requests that the Project Engineer submit geotechnical design considerations addressing excavations associated with the basins and pools. Furthermore, we ask that the geotechnical evaluation model the excavations as if they were dry while modeling a flood against the levee.

RD17-4

The project intends to borrow fill material from the property to the south of the levee. RD 17 requests that the Project submit the geotechnical design consideration for the potential impacts of borrowing material on the waterside of the levee and address the potential shortening of the seepage paths beneath the levee or the possibility of intersecting seepage lenses thereby aggravating the underseepage impact.

RD17-5

In addition to seepage water traveling through the levee and affecting improvements in the proposed subdivision, RD 17 suggests that the Project evaluate and if necessary address the potential for high groundwater. During the 1997 flood, a portion of the ground that this proposed subdivision is located on had standing water from rising groundwater, seepage, inadequate drainage or a combination of such causes. This subdivision is in an area underlain by sands which contain groundwater affected by flooded upstream areas and areas to the east. As the upgradient groundwater rises, the groundwater beneath the project could also rise to the surface and cause surface flooding. This surface flooding could lead to the failure of the public work's system of streets, curbs and gutters and utilities as well as impact the residential foundations and homes in the area. Typical storm drainage systems will not necessarily control this problem. The developer should evaluate and if necessary, install an adequate subsurface drainage system in order to eliminate this impact.

RD17-6

Finally, RD 17 requires an easement over the levee and berm area along this project. The levee easement should extend a minimum of fifty (50) feet beyond the waterside toe of the levee and ten (10) feet beyond the landside toe of the berm. RD 17 is willing to take the area in fee if that is what the City of Manteca prefers. The berm area can be used for open space and park purposes provided no trees or significant structures are placed on the levee or berm area.

RD17-7

Page 3
May 20, 2009

If you have any questions regarding the enclosed, please call me. Thank you in advance for your anticipated cooperation in this matter.

RD17-8

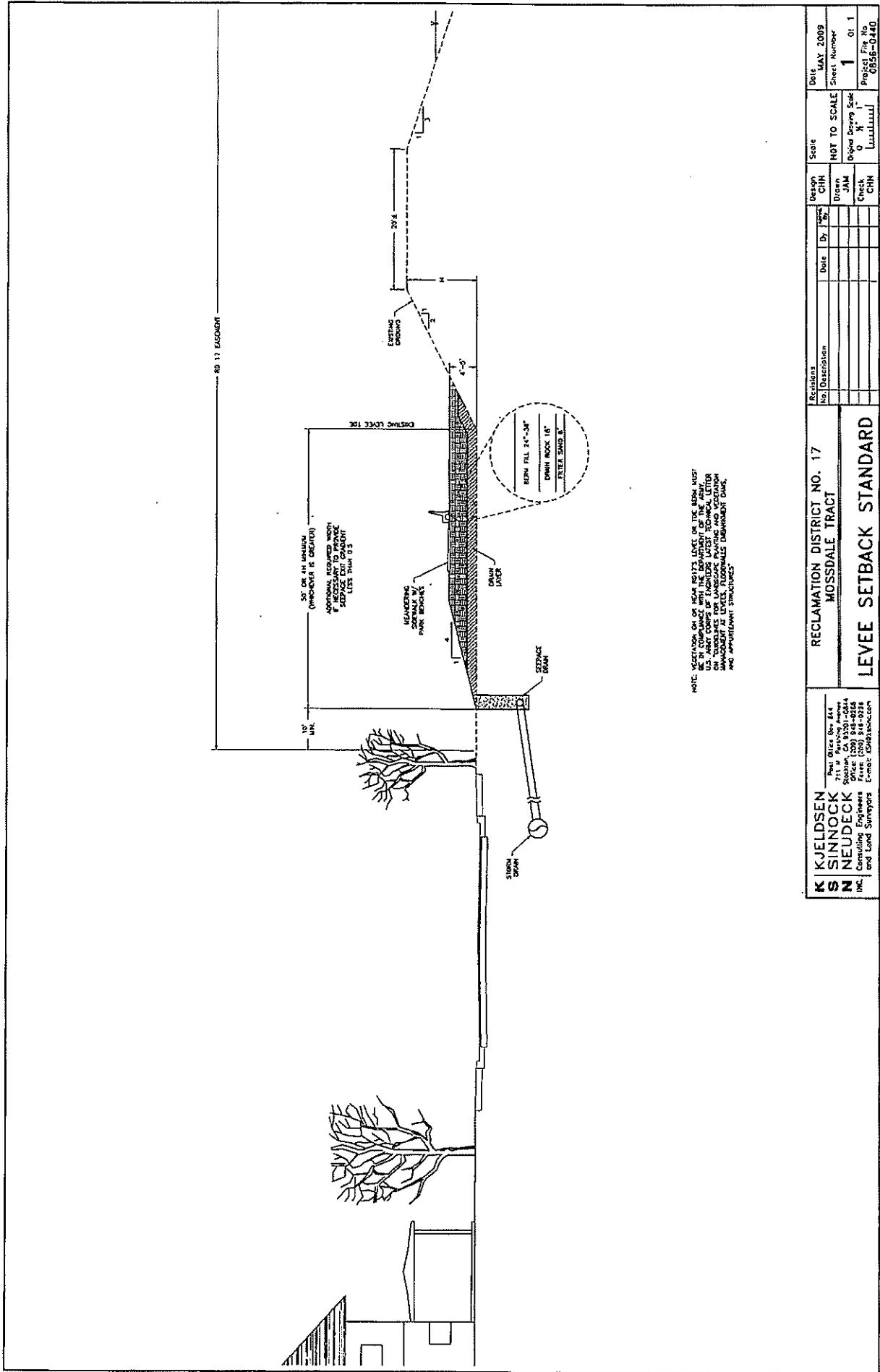
Sincerely,

KJELDTSEN, SINNOCK & NEUDECK, INC.

Christopher H. Neudeck
RD 17 – Engineer

CHN/ju
Enclosure

cc: Trustees/w/encl.)
Dante John Nomellini (w/encl.)
Joe Tootle, Engeo (e/encl.)



K KJELSDEN
S SINNOCK
N NEUDECK
Consulting Engineers
and Land Surveyors

Post Office Box 844
711 W. Parkview Avenue
Stockton, CA 95211-0844
Phone: (209) 941-8888
Fax: (209) 941-0218
E-mail: kjs@kjsoc.com

RECLAMATION DISTRICT NO. 17
MOSSDALE TRACT
LEVEE SETBACK STANDARD

Revisions	Date	By	Design	Scale	Date	Sheet
No. Description			CHN	NOT TO SCALE	MAY 2009	Number
			Drawn	0'-6" = 1'		1
			JAM	0'-6" = 1'		Of 1
			Check	0'-6" = 1'		Project File No.
			CHN	0'-6" = 1'		0556-0440

Reclamation District 17 (RD17)

Response to RD17-1

The comment consists of an email from the Secretary and General Counsel of RD 17 referencing an attached letter, dated May 19, 2009 from the reclamation district's engineer (Kjeldsen, Sinnock & Neudeck, Inc). The comment summarized the comments contained in the letter. Responses to the comments contained in the letter are provided in Responses to RD17-2 through RD17-8.

Furthermore, it should be emphasized that the May 19, 2009 letter was submitted prior to release of The Trails of Manteca Notice of Preparation (July 2010) and Draft EIR (October 2010). As such, it does not provide comments on the Draft EIR's analysis. However, it does provide comment on various issues addressed in the Draft EIR; therefore, the responses describe how the issues were addressed.

Response to RD17-2

The author provided introductory remarks to open the May 19, 2009 letter and indicated that seepage through and under the dry levee bisecting the project site must be addressed in any development plan near the levee.

Both the development plans and the Draft EIR address levee seepage. Refer to Response to RD17-3 through Response to RD17-7 for further discussion.

Response to RD17-3

The author described levee seepage that occurred within the project area during the 1997 flood event and noted that these areas were later repaired. The author noted that regulatory agencies desire a more stringent approach to seepage and described recent actions by the California Department of Water Resources in relation to RD 17 levees. The author stated that a landside berm needs to be constructed on the toe of the levee to address the potential for seepage and provided a diagram of such a facility (Comment RD17-9). The author described discussions with the project engineering firm regarding buttressing of the levee and the installation of a subsurface drainage system, and requested that the applicant revise the grading plan to include the aforementioned improvements.

Mitigation Measure HYD-4 requires the installation of a subsurface drainage system between the levee and the residential uses, consistent with the comment above. The project grading plans will reflect the levee buttressing.

Response to RD17-4

The author stated that RD17 strongly recommends that the proposed project be designed so that land use adjacent to the levee toe berm consists of a singly loaded street in order to set back residential improvements as far from the levee as possible. The author noted that that the seepage toe berm does not cut off seepage but rather safely conveys seepage water into the project drainage system. The author also indicated that drainage retention/detention basins and pools along the levee alignment

could adversely affect seepage and recommended that geotechnical studies address these potential improvements.

As shown in Draft EIR Exhibit 2-4, all streets and lots are set back a minimum of 50 feet from the landside of the dry levee. In cases where lots would have been within the 50-foot buffer, these lots have been eliminated and the adjoining street is singly loaded. Where lots are outside the 50-foot buffer, these streets are doubly loaded. This design is consistent with RD 17's request that residential improvements be set back as far as possible from the levee.

The City of Manteca will require as a condition of approval that the applicant retain a qualified geotechnical engineer to study all drainage retention/detention basins and pools.

Response to RD17-5

The author noted that the project applicant intends to borrow fill material from the south side of the levee and requested that the applicant submit a geotechnical design consideration for the potential impacts of borrowing fill on levee seepage.

After the May 19, 2009 letter was submitted, the project applicant revised the project plans so that all earthwork activities on the north side of the levee balance and do not require importation of fill from the south side of the levee. Refer to Draft EIR page 2-16 for further discussion.

Response to RD17-6

The author stated that the applicant evaluate the potential for high groundwater levels within the project site during a high water event. The author stated that typical stormwater drainage systems will not necessarily control this problem and that this could result in failure of streets, curbs, gutters, utilities, and building foundations. The author recommended that the applicant evaluate this issue and, if necessary, install a subsurface drainage system.

Mitigation Measure HYD-4 requires the installation of a subsurface drainage system between the levee and the residential uses, consistent with the comment above.

Response to RD17-7

The author indicated that RD 17 requires an easement over the levee and berm area within the project site. The author stated that the easement should extend a minimum of 50 feet beyond the waterside toe of the levee and 10 feet beyond the landside toe of the levee. The author indicated that the area within the easement can be used for open space and park purposes provided that no trees or significant structures are placed in the levee or berm area.

The project applicant will dedicate an easement to RD 17 that encompasses the levee and berm area as part of approval of the final map. As shown in Draft EIR Exhibit 2-4, all streets and lots are set back a minimum of 50 feet from the landside of the dry levee, consistent with the above comment

regarding the width of the setback. The applicant intends for the area within the easement to be used for open space, including trails.

Response to RD17-8

The author provided closing remarks to conclude the letter. No response is necessary.

Response to RD17-9

The author attached a diagram of the landside berm referenced in Comment RD17-3.



**Pacific Gas and
Electric Company™**

**Roger
Leatherman**
Land Agent

Land Services
4040 West Lane
Stockton, CA 95204
Office: (209) 942-1448
Fax: (209) 942-1485
E-mail: r1ls@pge.com

November 17, 2010

City of Manteca
1001 West Center Street
Manteca, CA 95337
Attn: Erika Durrer

RECEIVED

NOV 30 2010

COMMUNITY DEVELOPMENT
DEPARTMENT

RE: Notice of Preparation of Draft Environmental Impact Report (EIR) for The Trails of Manteca.

Dear Ms. Durrer:

Thank you for the opportunity to comment on the above mentioned document for this project. Pacific Gas and Electric has the following comments to offer:

PG&E presently owns and operates electric and gas facilities within and adjacent to the proposed project area. Issues which may create conflict due to their impact on our easements and facilities include, but are not limited to, the permanent or temporary change in grade, the planting of certain types of vegetation, and the construction of structures.

PG&E-1

To promote the safe and reliable maintenance and operation of utility facilities, the California Public Utilities Commission (CPUC) has mandated specific clearance requirements between utility facilities and surrounding objects or construction activities. Any proposed development plans should provide for unrestricted utility access and prevent easement encroachments that might impair the safe and reliable maintenance and operation of PG&E's facilities.

If the relocation of existing PG&E facilities to accommodate the proposed development is deemed to be necessary, the relocation should be covered by the environmental review for the proposed development and the requesting party will be responsible for the associated costs. The relocation of certain PG&E facilities could require formal approval from the CPUC. If required, this approval process could take up to two years to complete. Please note that it is not always feasible to relocate our facilities, so it is essential to design the project attempting to avoid the existing utilities if possible.

PG&E-2

We would also like to note that continued development consistent with the City of Manteca General Plans will have a direct or cumulative impact on PG&E's electric and gas systems and may require on-site and off-site additions and improvements to the facilities which supply these services. Because utility facilities are operated as an integrated system, the presence of an existing electric and gas transmission or distribution facility does not necessarily mean the facility has capacity to connect new loads.

PG&E-3



Expansion of distribution and transmission lines and related facilities is a necessary consequence of growth and development. In addition to adding new distribution feeders, the range of electric system improvements needed to accommodate growth may include upgrading existing substation and transmission line equipment, expanding existing substations to their ultimate buildout capacity, and building new substations and interconnecting transmission lines. Comparable upgrades or additions needed to accommodate additional load on the gas system could include facilities such as regulator stations, odorizer stations, valve lots, distribution and transmission lines.

PG&E-3
CONT

As required by law, the environmental documents for proposed development projects should include adequate evaluation of direct and cumulative impacts to utility systems, the utility facilities needed to serve those developments and any potential environmental issues associated with extending utility service to the proposed project. This will assure the project's compliance with CEQA and reduce potential delays to the project schedule.

In order to ensure that all PG&E issues are addressed, the Project Coordinator should be encouraged to coordinate with PG&E in the early stages of planning. This is especially important if there is any possibility that we would need to relocate our facilities or provide new service to the area due to the lengthy duration of these processes.

PG&E-4

The California Constitution vests in the CPUC exclusive power and sole authority with respect to the regulation of privately owned or investor owned public utilities such as PG&E. This exclusive power extends to all aspects of the location, design, construction, maintenance and operation of public utility facilities. Nevertheless, the CPUC has provisions for regulated utilities to work closely with local governments and give due consideration to their concerns. PG&E must balance our commitment to provide due consideration to local concerns with our obligation to provide the public with a safe, reliable, cost-effective energy supply in compliance with the rules and tariffs of the CPUC.

PG&E-5

PG&E remains committed to working with the City of Manteca to provide timely, reliable and cost effective Electric and Gas service to the area. PG&E would appreciate being copied on future correspondence as the project develops.

PG&E-6

If you have any questions or concerns, please feel free to contact me.

Sincerely,

Roger Leatherman
Land Agent

Private Parties

Pacific Gas and Electric Company (PG&E)

Response to PG&E-1

The author provided introductory remarks to preface the letter. No response is necessary.

Response to PG&E-2

The author provided standard language about California Public Utilities Commission (CPUC) regulations that concern construction activities near utility facilities or relocations of utility facilities.

No significant utility relocation activities are contemplated by the project. The applicant will comply with all regulations that pertain to construction activities near utility facilities as applicable.

Response to PG&E-3

The author stated that continued development, as envisioned by the City of Manteca General Plan, will have a direct or cumulative impact on PG&E's electric and gas systems. The author indicated that expansion of distribution and transmission lines is a necessary consequence of growth and development. The author indicated that environmental documents for proposed development projects should include adequate evaluation of direct and cumulative impacts to utility systems, including extending utility service to the project.

The Draft EIR described the electricity and natural gas infrastructure that would serve the proposed project on page 2-16. As stated on that page, underground electricity and natural gas lines would be extended to the project site from existing facilities within the E. Woodward Avenue right-of-way.

Additionally, PG&E provided a letter, dated August 18, 2010 indicating that it would serve the proposed project with electricity and natural gas. The letter is provided in Draft EIR Appendix J. Thus, PG&E has previously confirmed that it can serve the proposed project's energy needs.

As such, the Draft EIR evaluated necessary energy infrastructure and supplies to serve the proposed project.

Response to PG&E-4

The author stated that the "Project Coordinator" should be encouraged to coordinate with PG&E in the early stages of planning, particularly if there is a need to relocate PG&E facilities to provide new service to the area.

As discussed in Response to PG&E-3, consultation with the utility occurred during the preparation of the Draft EIR. The project applicant will further consult with PG&E once the project planning process is further advanced.

Response to PG&E-5

The author provided standard language indicating that the CPUC has sole regulatory authority over investor-owned utilities such as PG&E, but does afford regulated utilities the opportunity to work closely with local governments. No response is necessary.

Response to PG&E-6

The author provided closing remarks to conclude the letter. No response is necessary.

SECTION 3: RESPONSES TO PLANNING COMMISSION MEETING COMMENTS ON THE DRAFT EIR

3.1 - Introduction

The City of Manteca solicited public comments on The Trails of Manteca Project Draft Environmental Impact Report (Draft EIR) (State Clearinghouse No. 2010072042) on Tuesday, November 9, 2010 at a Planning Commission meeting at Manteca City Hall. Comments were provided in oral form and summarized in the meeting minutes. Although the City of Manteca is not obligated to respond to oral comments by the California Environmental Quality Act (CEQA), the City has nonetheless elected to respond to the comments made at the meeting in order to address concerns and questions related to the evaluation of the proposed project's environmental impacts in the Draft EIR. These written responses become part of the Final EIR for the project in accordance with CEQA Guidelines Section 15132.

This section is organized as follows:

- **Section 3.1 – Introduction:** Provides an overview of the section.
- **Section 3.2 – List of Speakers:** Provides the list of individuals who provided comments at the Planning Commission hearing.
- **Section 3.3 – Minutes of the Planning Commission Meeting.**
- **Section 3.4 – Responses to Planning Commission Meeting Comments:** Provides responses to all applicable comments on the Draft EIR.

3.2 - List of Speakers

A list of the individuals who provided comments on the Draft EIR at the Manteca Planning Commission meeting is presented below in order in which testimony was provided. Note that one individual provide comments at different times.

Eric Hayes
Kirk Dall
Arlene Utal
Eric Hayes

3.3 - Planning Commission Meeting Minutes

The November 9, 2010 Manteca Planning Commission Meeting Minutes are reproduced on the following pages.

**MINUTES OF THE PLANNING COMMISSION
MEETING HELD NOVEMBER 9, 2010**

The meeting of the Manteca City Planning Commission held on Tuesday, November 9, 2010, was called to order by Chairman Morowit at 7:00 p.m.

COMMISSIONERS PRESENT: Bobby Shaw, Kirk Dall, Mike Morowit, Eric Hayes, Mark Abram and Robert Alaniz (alternate).

COMMISSIONERS ABSENT: None

STAFF PRESENT: Frederic Clark, Interim Community Development Director; John Brinton, City Attorney, Mark Meissner, Planning Manager; Erika Durrer, Senior Planner, and Kelly Orlandi, Administrative Assistant III.

MINUTES:

COMMISSIONER SHAW MOTIONED WITH COMMISSIONER HAYES SECONDDING
TO APPROVE THE MINUTES FROM OCTOBER 26, 2010. MOTION CARRIES 5-0

MEMBERS OF THE PUBLIC:

None

AGENDA MODIFICATIONS:

None

PUBLIC HEARINGS:

None

OTHER SCHEDULED ITEMS

**7.1 Public Comment Meeting on the Draft Environmental Impact Report for
the Trails of Manteca**

Erika Durrer, Senior Planner presented her Staff Report and introduced Grant Gruber from Michael Brandman Associates.

Grant Gruber gave a Power Point presentation. He described the project area and the CEQA process.

COMMISSIONER QUESTIONS:

Commissioner Hayes asked for an explanation about the findings on the Williamson Act.

Erika Durrer explained the project area was annexed into the city in 1996 and should have filed a non-renewal at that time which would have brought the area out of the Williamson Act Contract in 2006. Since that did not happen this is an active Williamson Act Contract. In order to move forward on any development application they will have to apply for a Williamson Act Contract Cancellation as part of their project and pay the fees to cancel.

Commissioner Hayes asked who will pay and who will receive the fees.

Erika Durrer explained the developer pays the fees to the State.

Commissioner Hayes asked how the site plan will fit in with the Woodward Avenue streetscape; it seems the City is not looking at this project to be in line with the streetscape that is for the rest of Woodward.

Erika Durrer said he was correct because this length of Woodward is detached and will be different.

Commissioner Dall stated he had the same questions as Commissioner Hayes and also wondered why they are not continuing the streetscape into this area. He asked about the emergency vehicle access.

Grant Gruber explained the three different emergency vehicle access options that will be further explored once they get further along in the process.

Commissioner Hayes asked for clarification on the map. He explained that a business park is planned between the east and west sections of Woodward Avenue, which explains why the streetscape does not need to be the same.

Erika Durrer replied that he was correct.

OPEN PUBLIC COMMENTS:

Arlene Utal represented Weatherbee Properties as the developer. She explained the tentative map for the project area and explained the streetscape.

Commissioner Hayes asked if this will be a gated community.

Arlene Utal said the community will not be gated.

Commissioner Hayes asked about the conditions of the levees.

Arlene Utal stated they are very sensitive to the levee issues and have had the levees tested at their expense. The levee is completely sound and although not mandatory they are going to add fill to the toe of the levee. They feel confident that the levees are sound.

Commissioner Hayes said he has lived in that area he remembers what the emergency services had to deal with at that time. He believes we should pay attention to this as we continue to populate that area. He also stated it is important that the commission check to make sure that staff is checking these things.

Arlene Utal said she has met with both FEMA and RD-17 and is very sensitive to the levee issues and any feedback from the Commission and Council is welcome.

CLOSE PUBLIC COMMENT:

COMMISSIONER COMMENTS:

None

ADJOURNMENT:

This meeting of Tuesday, November 9, 2010 was adjourned at 7:40 p.m. to the next Regular Planning Commissioner meeting of December 14, 2010.

Secretary

Chairman Morowit

3.4 - Responses to Planning Commission Meeting Comments

3.4.1 - Introduction

Responses to comments made at the November 9, 2010 Manteca Planning Commission meeting are addressed on the following pages.

3.4.2 - Responses to Comments

Eric Hayes

Summary of Testimony

Mr. Hayes, a Planning Commissioner, inquired about the proposed Williamson Act cancellation and the Woodward Avenue streetscape.

Response

The proposed Williamson Act contract cancellation is addressed in the Draft EIR on pages 3.2-16 through 3.2-19. As stated on those pages, the applicant filed a Petition for Cancellation in March 2009. The Draft EIR evaluated the proposed cancellation against the criteria set forth in Government Code 51280 and 51283 for such action and concluded that the necessary legal findings can be made to support cancellation. Mitigation Measure AG-2 requires the applicant to pay the cancellation fee at the time of recordation of the final map.

The project site is at the west end of E. Woodward Avenue, which is expected to be detached from the remainder of E. Woodward Avenue once the property immediately east of the project site is developed (Tara Park). As such, the segment of E. Woodward Avenue along the project site would not have any connectivity or visual linkages to the portion of E. Woodward Avenue between McKinley Avenue and Airport Way where the City is currently pursuing streetscaping enhancements.

As discussed in the Draft EIR on page 2-15, half-width improvements would be made to E. Woodward Avenue and S. Woodward Avenue, including building out each roadway to its General Plan-contemplated section. Additionally, as shown in Exhibit 2-4, the single-family residences that adjoin E. Woodward Avenue and S. Woodward Avenue would not take access from the roadway; instead, they would take access from residential streets within the project site. This configuration would minimize circulation conflicts and allow for uninterrupted segments of landscaping to be provided along the project frontage.

Kirk Dall

Summary of Testimony

Mr. Dall, a Planning Commissioner, reiterated Mr. Hayes's prior comments about the Woodward Avenue streetscape and inquired about the proposed Emergency Vehicle Access.

Response

As shown in Draft EIR Exhibit 3.13-12, several Emergency Vehicle Access alignments are to be considered for use until the roadway network in the project vicinity is more fully developed. The

alignments include use of the dry levee and unpaved agricultural roads on neighboring properties. These alignments are proposed because E. Woodward Avenue would be the only roadway providing access to the proposed project until the Atherton Drive extension is completed.

Arlene Utal

Summary of Testimony

Ms. Utal, the project applicant, provided clarifying details about roadway access to the proposed project and recreational amenities.

Response

None of Ms. Utal's comments pertained to the Draft EIR's analysis; therefore, no response is necessary.

Eric Hayes

Summary of Testimony

Mr. Hayes inquired if the project would be gated and about the stability of the dry levee that bisects the project site.

Response

Ms. Utal, in her oral testimony, indicated that the proposed project would not be gated.

The stability of the dry levee is addressed in the Draft EIR on pages 3.8-29 and 3.8-30. As stated on those pages, the applicant retained ENGEO, an engineering firm, to evaluate the stability of the dry levee. ENGEO found that with the installation of a subsurface drainage system between the levee and the residential uses, the levee would provide adequate protection for the proposed project. Refer to Responses to RD17-1 through RD17-9 in Section 3, Responses to Written Comments for further discussion.

SECTION 4: ERRATA

The following are revisions to the Draft EIR. These revisions are minor modifications and clarifications to this document and do not change the significance of any of the environmental issue conclusions within the Draft EIR. The revisions are listed by page number. All additions to the text are underlined (underlined) and all deletions from the text are stricken (~~stricken~~).

Section 3.3, Air Quality/Greenhouse Gas Emissions

Page 3.3-38, Mitigation Measure AIR-1c

The text of Mitigation Measure AIR-1c has been revised to correct the emissions reduction target for fine particulate matter (PM₁₀), in accordance with a request made by the San Joaquin Valley Air Pollution Control District.

MM AIR-1c Prior to issuance of building permits, the project applicant shall demonstrate compliance with all applicable requirements of San Joaquin Valley Air Pollution Control District, Rule 9510 via the submittal of a Rule 9510 Implementation Plan to the City of Manteca for review and approval. The implementation plan shall achieve a 33-percent reduction in NO_x and a 50 ~~45~~-percent reduction in PM₁₀ over the first 10 years of operations through the use of onsite emissions reduction measures or through the payment of offsite mitigation fees to the SJVAPCD for purchase of emission reductions. The requirements of the approved implementation plan shall be incorporated into the proposed project.

Section 3.8, Hydrology and Water Quality

Page 3.8-2, Surface Water Quality

The paragraph about surface water quality has been revised to correct several errors in the list of pollutants.

Surface Water Quality

No water quality monitoring data was obtained for the project site, but in light of the past and current agricultural land use practices in the area, it is likely that there are increased levels of certain pollutants. There may be increased levels of pesticides and herbicides associated with maintenance and operation of the agricultural fields that could be introduced into the onsite and adjacent drainages. The reach of the San Joaquin River from the Stanislaus River to the Delta Boundary is listed as impaired on the 2006 Clean Water Act 303(d) list for ~~boreon~~, DDT, ~~electrical conductivity~~, Group A pesticides, mercury, ~~and toxaphene~~, and unknown toxicity. These pollutants are a result of agriculture practices and in the case of mercury, resource extraction. ~~The same reach of the San Joaquin River is listed for approved U.S.~~

~~Environmental Protection Agency (EPA) Total Maximum Daily Loads (TMDLs) for chlorpyrifos, diazinon, selenium, and agricultural pollutants.~~

Page 3.8-27, Mitigation Measure HYD-4

Mitigation Measure HYD-4 has been revised to replace “the outlet canal” with “Walthall Slough.”

MM HYD-4 Prior to the issuance of building or grading permits for the proposed project, the project applicant shall submit a drainage plan for the project as a whole to the City of Manteca for review and approval. The plan shall include a detailed drainage plan that demonstrates attainment of pre-project runoff requirements prior to release at Walthall Slough ~~the outlet canal~~ and describes the volume reduction measures and treatment controls used to reach attainment. The drainage plan shall identify all expected flows from the project area and the location, size, and type of facilities used to retain and treat the runoff volumes and peak flows to meet pre-project conditions. The Drainage Plan shall also include the geotechnical report verifying groundwater elevation for the regional basins. In addition, the plan shall address the need for subsurface drainage system located between the levee and the subdivision to control this water during a high water stage event. The approved drainage plan shall be incorporated into the proposed project.

Section 3.13, Transportation

Page 3.13-40, Mitigation Measure TRANS-1a

The text of Mitigation Measure TRANS-1a has been revised to remove “Master Plan use” and replace with “each dwelling unit.”

MM TRANS-1a Prior to issuance of building permits for each dwelling unit ~~Master Plan use~~, the applicant shall pay all transportation-related fees in accordance with the latest adopted fee schedule at the time permits are sought. Such fees shall include but would not be limited to the City of Manteca Public Facilities Implementation Plan fee and the San Joaquin County Regional Transportation Impact Fee.