

Final Environmental Impact Report  
for the  
Union Ranch Specific Plan



SCH# 2004092016  
VOLUME III—Responses to Comments and Additional Information

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May 3, 2005



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# 1 INTRODUCTION

## 1.1 OVERVIEW

On January 13, 2005, the City of Manteca (City) distributed to public agencies and the general public a draft environmental impact report (DEIR) for the Union Ranch Specific Plan (URSP) project in accordance with the requirements of the California Environmental Quality Act (CEQA). The project applicant, Union Ranch Partners, LLC, is requesting approval of various discretionary entitlements in support of a single-family residential, senior housing, and mixed-use development on approximately 533 acres located at the northeast and northwest corners of Union Road and Lathrop Road. The URSP area is bounded by Lathrop Road on the south, Airport Way on the west, and agricultural lands on the north and east.

The URSP area is partially within the planning sphere of influence of the City of Manteca but outside the existing city limits. If the project is approved by the City, the City would need to seek approval from the San Joaquin County Local Agency Formation Commission (San Joaquin LAFCO) for the annexation of the entire specific plan area into the City's sphere of influence. The City has adopted a land use pattern similar to the URSP proposal in its 2003 General Plan and designated the specific plan area for future urban development.

In accordance with Section 15105 of the State CEQA Guidelines, a 45-day public review period was provided for the DEIR; the review period began on January 13, 2005 and ended on February 28, 2005. State and local agencies and public organizations commented on the content of the DEIR during the review period. Six comment letters were received. In addition, a public meeting was held by the City of Manteca Planning Commission on February 15, 2005, during which time the Planning Commissioners and the public were given the opportunity to provide oral comments on the content of DEIR. No comments were received during this meeting. Written comments are provided in their entirety in Chapter 2, "Comments and Responses to Comments in the DEIR."

This document responds to the written comments received on the DEIR and has been prepared in accordance with Section 15089 and Section 15132 of the State CEQA Guidelines. It is divided into three chapters:

- < Chapter 1, Introduction, provides an overview of the environmental review process and presents a summary of the proposed project and alternatives.
- < Chapter 2, Comments and Responses to Comments on the DEIR, reproduces public comments received on the DEIR and presents responses to those comments.
- < Chapter 3, Corrections and Revisions to the DEIR, identifies changes made to the DEIR in response to the comments.

This document and the DEIR together comprise the final EIR (FEIR).

## 1.2 SUMMARY DESCRIPTION OF THE PROPOSED PROJECT

The DEIR evaluated the proposed project as summarized below and as described in detail in Chapter 3 of the DEIR.

The proposed URSP project includes 2,301 residential units at various densities, two commercial mixed use areas encompassing approximately 26 acres, open space and trails, and park areas.

The land use plan proposed under the URSP would guide development of two independent low density residential housing communities, are focused on active senior housing and the other a more traditional single-family housing development. The two housing communities would be linked by common landscape, bike and pedestrian trails, and a common materials palette for walls, fences, and entry monuments. Single-family housing would be developed in the eastern portion of the specific plan area and active adult senior housing would be developed in the central and western portions of the specific plan area.

The land use plan also includes the development of a commercial mixed use area designed to provide community/neighborhood activity/socializing areas, public service facilities, neighborhood work centers (private office space), and high density housing.

In addition, several park and open space areas are designated throughout the specific plan area, including community parks, greenbelts and visual corridors, landscape setbacks, and open space trail system. Parks would be designed to provide ball fields, tot lots and play apparatus, benches, picnic areas, shade structures, and integrated onsite storm water detention facilities. Three parks would be located in the active senior housing community and would be private facilities. A fourth park would be located in the single-family housing community and would be a public facility.

For planning purposes and to assist with orderly development of the specific plan area, implementation of the URSP would proceed in 7 phases. Construction of Phase 1 is estimated to begin in fall 2005 with complete project buildout estimated for 2011.

### **1.3 ENTITLEMENTS**

The following list identifies the entitlements requested from the City of Manteca for the URSP project; unless otherwise specified, the entitlements pertain to the project in its entirety:

- < Adoption of rezoning designations for the site;
- < Local Area Formation Commission (LAFCO) approval of a Sphere of Influence boundary expansion, service plan and annexation of the specific plan area to the City of Manteca;
- < Approval of tentative subdivision maps;
- < Approval of development agreements between the City and single-family residential developer;
- < Approval of phasing plan for development;
- < Adoption of design guidelines for the specific plan area; and
- < Approval of the specific plan.

Adoption of the URSP would establish the land use entitlements for all land in the specific plan area. Additional General Plan amendments or zoning designations would not be required for specific developments in the specific plan area as long the development is consistent with the land uses and standards established by the URSP.

## **1.4 PERMITS AND APPROVALS**

The following permit and other approval actions may be required before implementation of individual elements of the proposed project.

### **1.4.1 FEDERAL ACTIONS/PERMITS**

- < U.S. Army Corps of Engineers: Section 404 Clean Water Act permit, Section 10 of the Rivers and Harbors Act permit
- < U.S. Fish and Wildlife Service (USFWS): federal Endangered Species Act permit

### **1.4.2 STATE ACTIONS/PERMITS**

- < State of California Department of Fish and Game: California Endangered Species Act take permit (Fish and Game Code Section 2081) and streambed alteration agreement (Fish and Game Code Section 1602)
- < State of California Regional Water Quality Control Board—Central Valley Region 5: National Pollutant Discharge Elimination System construction stormwater permit
- < State of California Department of Toxic Substances Control: Underground Storage Tank Abandonment permit
- < State of California Office of Historic Preservation (State Historic Preservation Officer): Consultation for onsite resources

### **1.4.3 REGIONAL/LOCAL ACTIONS/PERMITS**

- < San Joaquin Council of Governments: Implementation of San Joaquin County Multi-species Habitat Conservation and Open Space Plan
- < San Joaquin LAFCO: annexation of URSP area to the City of Manteca
- < San Joaquin Valley Air Pollution Control District: authority to construct and permit to operate

## **1.5 PROJECT ALTERNATIVES**

The DEIR evaluated three alternatives to the proposed project as listed below and as described in their entirety in Chapter 8 of the DEIR:

- < No Project Alternative – Continuation of Existing Conditions
- < Mitigated Design Alternative
- < Offsite Alternative



## 2 COMMENTS AND RESPONSES TO COMMENTS ON THE DEIR

### 2.1 LIST OF COMMENTERS

Six letters were received on the DEIR during the public comment period. The list of commenters on the DEIR, along with the topic of each comment, is presented in Table 2-1. Each letter and comment has been assigned a letter/number designation for cross-referencing purposes (for example, the first comment letter is Letter A). The comment letters and the responses to the substantive environmental issues raised in those letters are presented in Section 2.2.

<b>Table 2-1 Comments Received on the DEIR</b>				
Letter/ Meeting	Commenter	Date Received	Comment Number	Comment Topic(s)
<b>LETTER COMMENTS</b>				
<b>STATE AGENCIES</b>				
A	California Department of Transportation Tom Dumas, Chief, Office of Intermodal Planning	February 23, 2005	A-1	Traffic impacts to SR 99
			A-2	Traffic impacts to SR 99
			A-3	Signal warrant analysis
			A-4	Traffic analysis
<b>LOCAL AGENCIES</b>				
B	San Joaquin County Public Works Department Wendy Johnson, Environmental Coordinator	February 25, 2005	B-1	Typographical error
			B-2	Trip generation
			B-3	Traffic mitigation
			B-4	Construction management plan
			B-5	Traffic study
			B-6	Typographical error
			B-7	Intersection impacts
			B-8	Traffic mitigation
			B-9	Traffic mitigation
C	South San Joaquin Irrigation District Sam Bologna, Engineering Department Supervisor	February 25, 2005	C-1	Stormwater drainage
			C-2	District design standards
			C-3	District design standards
			C-4	Abandonment agreements
			C-5	Easements
			C-6	Improvement plans
			C-7	As-built drawings
D	Manteca Unified School District Sandy Dwyer, Administrator of Facilities Planning	February 17, 2005	D-1	School facilities
			D-2	Developer fees
			D-3	School impacts
E	City of Lathrop Bruce Coleman, Community Development Director	February 24, 2005	E-1	Regional traffic study
			E-2	Intersection impacts
			E-3	Typographical error

<b>Table 2-1 Comments Received on the DEIR</b>				
<b>Letter/ Meeting</b>	<b>Commenter</b>	<b>Date Received</b>	<b>Comment Number</b>	<b>Comment Topic(s)</b>
			E-4	Roadway impacts
			E-5	Interchange improvement costs
			E-6	Regional traffic fee
			E-7	Regional roadway improvements
			E-8	Regional interchange impacts
			E-9	Traffic data
			E-10	Traffic impacts
			E-11	Traffic mitigation
			E-12	Information request
<b>ORGANIZATIONS</b>				
F	Sierra Club, Mother Lode Chapter Eric Parfrey, Chair	February 25, 2005	F-1	Introduction
			F-2	Agricultural mitigation fee
			F-3	Agricultural land mitigation
			F-4	Central Valley Farmland Trust
			F-5	Impacts to agricultural lands
			F-6	Regional transportation facilities
			F-7	Regional transportation study
			F-8	Regional traffic impact fee
			F-9	Wastewater treatment capacity
			F-10	Air quality mitigation
			F-11	Biological impacts
			F-12	Biological mitigation
			F-13	Conservation easements
			F-14	Project alternatives
			F-15	Contact information

## 2.2 MASTER RESPONSE

The following section contains a response to common (i.e., traffic and circulation) issues raised by multiple comments. Responses to individual comments on these issues are directed to the master response. For example, if a comment addresses traffic impacts at a particular intersection, the response would state, “Please refer to Master Response 1.”

### 2.2.1 MASTER RESPONSE 1—IMPACTS TO NEARBY ROADWAYS AND INTERSECTIONS

A number of comments requested that additional roadways and intersections in the project vicinity be evaluated to determine if the project would result in significant environmental impacts to these intersections. Among the comments raised was the need to evaluate the following seven additional intersections. This is in addition to the 14 intersections evaluated in the DEIR.

- < I-5 Southbound Ramps/Roth Road
- < I-5 Northbound Ramps/Roth Road
- < I-5 Southbound Ramps/Louise Avenue
- < I-5 Northbound Ramps/Louise Avenue
- < Airport Way/Lovelace Road
- < Main Street/Lathrop Road (on/off ramp to southbound SR 99)
- < Lathrop Road/South Frontage Road (on/off ramp to northbound SR 99)

It should be recognized that during the public scoping process for the DEIR, the same agencies that commented on the DEIR were contacted, via the Notice of Preparation, regarding the scope and content of the traffic analysis for the DEIR. In addition, the City of Lathrop was contacted directly to identify the roadway intersections that should be evaluated in the DEIR. None of the intersections listed above were requested for analysis at that time.

Based on review of the comments received on the DEIR, the City has decided to direct an additional analysis to determine if the project would result in any traffic-related impacts to the above intersections. In addition to the above intersections, the City included the following two intersections in the analysis because they are a similar distance from the site as the intersections listed above:

- < SR 99 Southbound Ramps/French Camp Road
- < SR 99 Northbound Ramps/French Camp Road

The following discussion presents the results of the screening level analysis for the identified intersections. This information is presented to supplement information presented in the DEIR; however, this information does not change or otherwise alter the conclusions of the DEIR.

## **ANALYSIS METHODOLOGY**

Information used to perform the analysis was based on existing traffic volume data presented in the Central Lathrop Specific Plan (CLSP) EIR (2002), manual counts conducted in preparation of this analysis, and future traffic volume data from the CLSP EIR, and the San Joaquin Council of Governments (SJCOG) 2030 traffic model. The CLSP EIR reflects the most recent data on traffic impacts to some of the affected roadways. To determine project impacts, existing traffic volumes for study area roadways were increased based on the percentage increase between the 1999 base data and the 2030 future data shown in the SJCOG 2030 traffic model. Future lane configurations for study area intersections were based on lane configurations identified in the CLSP EIR and in the SJCOG 2030 traffic model. The CLSP has been approved by the City of Lathrop.

## **RESULTS**

Table Master Response 1 presents the project's inbound trip generation for the AM and PM peak hour at all requested study area intersections. Also shown are the number of trips that occur at these intersections and the percent increase associated with the project. In general, the highest percentage of trips generated by the project are at intersections closest to the proposed development (i.e., Main Street/Lathrop Road, SR 99 Northbound Ramps/French Camp Road). As roadway intersections are more distant from the proposed development and out of the primary access routes, project-related trips through these intersections are less (i.e., I-5/Louise Avenue intersections).

<b>Table Master Response 1 Change in Vehicle Trips (Existing Conditions)</b>				
Location	AM Existing Volumes		PM Existing Volumes	
	Entering Volume	Trip Increase/ Percentage increase Attributed to URSP	Entering Volume	Trip Increase/ Percentage increase Attributed to URSP
I-5 Southbound Ramps / Roth Road Without Project	391	15	452	53
With Project	406	3.7%	505	10.5%
I-5 Northbound Ramps / Roth Road Without Project	684	59	750	84
With Project	743	7.9%	834	10.1%
I-5 Southbound Ramps / Louise Avenue Without Project	942	7	790	4
With Project	949	0.7%	794	0.5%
I-5 Northbound Ramps / Louise Avenue Without Project	1,552	9	1,720	12
With Project	1,561	0.6%	1,732	0.7%
Airport Way / Lovelace Road Without Project	840	20	930	35
With Project	860	2.3%	965	3.6%
SR 99 Southbound Ramps / French Camp Road Without Project	773	15	759	14
With Project	788	1.9%	773	1.8%
SR 99 Northbound Ramps / French Camp Road Without Project	522	117	733	168
With Project	639	18.3%	901	18.6%
Main St / Lathrop Road Without Project	1,275	192	1,611	417
With Project	1,467	13.1%	2,028	20.6%
Lathrop Road / S. Frontage Road Without Project	830	29	993	57
With Project	859	3.4%	1,050	5.4%

Note: Analysis assumes 341 units in commercial mixed-use area see response to comment B-2.  
Source: KDAnderson 2005

As the project area builds out, local traffic will increase and roadway improvements are proposed to accommodate future growth. Using the cumulative scenario assumptions presented in the DEIR (see Appendix H), and future traffic volumes and roadway configurations from the certified CLSP EIR and the SJCOG 2030 traffic model, Table Master Response 2 presents the project's trip generation contributions to requested study area intersections under cumulative conditions. The traffic trips generated by the project account for a smaller percentage of total traffic trips through the intersections ranging from 0.04% (I-5 Southbound ramps/Louse Avenue, p.m. peak hour) to 12.1% (Main Street/Lathrop Road) (Table Master Response 2).

<b>Table Master Response 2 Change in Vehicle Trips (Cumulative Conditions)</b>				
Location	AM Future Volumes		PM Future Volumes	
	Entering Volume	Trip Increase/ Percentage increase	Entering Volume	Trip Increase/ Percentage increase
I-5 Southbound Ramps / Roth Road Without Project With Project	1,635 1,654	19 1.1%	2,055 2,123	68 3.2%
I-5 Northbound Ramps / Roth Road Without Project With Project	2,500 2,576	76 2.9%	2,895 3,002	107 3.6%
I-5 Southbound Ramps / Louise Avenue Without Project With Project	6,625 6,630	5 0.08%	6,750 6,753	3 0.04%
I-5 Northbound Ramps / Louise Avenue Without Project With Project	4,575 4,582	7 0.2%	6,105 6,114	9 0.1%
Airport Way / Lovelace Road Without Project With Project	1,604 1,624	20 1.2%	1,938 1,973	35 1.8%
SR 99 Southbound Ramps / French Camp Road Without Project With Project	1,490 1,505	15 1.0%	1,368 1,382	14 1.0%
SR 99 Northbound Ramps / French Camp Road Without Project With Project	1,527 1,680	153 9.1%	1,578 1,791	213 11.9%
Main St / Lathrop Road Without Project With Project	3,311 3,480	169 4.9%	2,801 3,185	384 12.1
Lathrop Road / S. Frontage Road Without Project With Project	2,151 2,176	25 1.1%	1,700 1,752	52 3.0%
Note: Analysis assumes 341 units in commercial mixed-use area see response to comment B-2. Source: KDAnderson 2005				

Using the same methodology for evaluating project level of service (LOS) impacts as used in the DEIR (i.e., Highway Capacity Manual 2000), the LOS for requested study area intersections was determined for Existing, Existing Plus Project, and cumulative conditions. Table Master Response 3 presents LOS results under all conditions.

Table Master Response 3 Existing and Cumulative Peak Hour Level of Service										
Location	Existing Control	Existing Conditions (without project)		Existing plus Project Conditions		Future Control	Cumulative Conditions (without project)		Cumulative plus Project Conditions	
		AM	PM	AM	PM		AM	PM	AM	PM
I-5 Southbound Ramps / Roth Road Overall Southbound Eastbound Lt	Southbound Stop	10.2 / B 11.7 / B 7.5 / A	10.8 / B 13.1 / B 7.6 / A	10.3 / B 11.8 / B 7.5 / A	11.5 / B 13.7 / B 7.6 / A	Signal	21.9 / C 29.5 / C	22.1 / C 29.9 / C		
I-5 Northbound Ramps / Roth Road Overall Northbound Westbound Lt	Northbound Stop	9.7 / A 9.8 / A 8.0 / A	9.7 / A 9.9 / A 8.2 / A	9.8 / A 9.9 / A 8.1 / A	10.0 / A 10.2 / A 8.3 / A	Signal	13.7 / B 26.3 / C	13.6 / B 26.6 / B		
I-5 Southbound Ramps / Louise Avenue	Signal	21.4 / C	21.0 / C	21.4 / C	21.0 / C	Signal	42.9 / D 26.5 / C	42.9 / D 26.5 / C		
I-5 Northbound Ramps / Louise Avenue	Signal	15.3 / B	23.2 / B	15.3 / B	23.5 / B	Signal	40.0 / D 34.1 / C	40.3 / D 34.1 / C		
Airport Way / Lovelace Road Overall Southbound Lt Westbound	Westbound Stop	10.1 / B 7.9 / A 10.9 / B	9.4 / A 7.9 / A 11.3 / B	10.9 / B 8.1 / A 11.8 / B	9.9 / A 8.2 / A 12.3 / B	Westbound Stop	17.0 / C 11.5 / B 20.1 / C	11.3 / B 8.5 / A 13.5 / B	18.8 / C 12.2 / B 22.0 / C	12.3 / B 9.0 / A 15.5 / C
SR 99 Southbound Ramps / French Camp Road Overall Northbound Southbound Eastbound Left Westbound Left	Northbound / Southbound Stop	14.6 / B 20.7 / C 20.3 / C 9.0 / A 7.6 / A	22.2 / C 25.4 / D 42.2 / E 8.3 / A 8.1 / A	14.9 / B 21.4 / C 20.6 / C 9.0 / A 7.6 / A	23.7 / C 27.3 / D 42.6 / E 8.3 / A 8.2 / A	Signal	21.1 / C 25.2 / C	21.1 / C 25.7 / C		

<b>Table Master Response 3 Existing and Cumulative Peak Hour Level of Service</b>										
Location	Existing Control	Existing Conditions (without project)		Existing plus Project Conditions		Future Control	Cumulative Conditions (without project)		Cumulative plus Project Conditions	
		AM	PM	AM	PM		AM	PM	AM	PM
SR 99 Northbound Ramps / French Camp Road Overall Northbound Southbound Eastbound Left Westbound Left	Northbound / Southbound Stop	11.7 / B 13.4 / B 13.1 / B 8.0 / A 7.5 / A	14.1 / B 18.5 / C 17.9 / C 8.0 / A 7.8 / A	11.7 / B 14.0 / B 13.7 / B 8.1 / A 7.5 / A	14.4 / B 19.5 / C 18.8 / C 8.1 / A 7.8 / A	Signal	15.8 / B	17.3 / B	16.5 / B	17.5 / B
Main St / Lathrop Road Overall Northbound Southbound Eastbound Westbound	AWS	17.6 / C 12.6 / B 12.5 / B 17.0 / C 22.0 / C	40.8 / E 17.6 / C 24.5 / C 44.1 / E 53.7 / F	25.9 / D 14.2 / B 14.1 / B 28.3 / D 30.7 / D	127.4 / F 29.2 / D 50.1 / F 167.7 / F 160.3 / F	Signal	15.3 / B	23.2 / B	15.3 / B	23.5 / B
Lathrop Road / S. Frontage Road Overall Northbound Southbound Eastbound Westbound	AWS	11.6 / B 9.7 / A 11.6 / B 12.7 / B 10.3 / B	15.3 / C 10.9 / B 15.8 / C 17.7 / C 11.6 / B	11.9 / B 9.9 / A 11.9 / B 13.3 / B 10.6 / B	16.7 / C 11.4 / B 17.1 / C 20.0 / C 12.9 / B	Signal	53.1 / D	28.3 / C	54.3 / D	29.2 / C
Note: Analysis assumes 341 units in commercial mixed-use area see response to comment B-2. Source: KDAnderson 2005										

Under existing plus project conditions, the project would not cause any of the requested study area intersections to operate unacceptably, with the exception of the Lathrop Road/Main Street intersection. However, impacts to this intersection were previously identified in the DEIR (page 4.11-27) and mitigation was recommended that would signalize this intersection. With signalization, this intersection would operate at LOS D with the project (please also refer to response to comment A-2).

Under cumulative plus project conditions, all roadway intersection would operate acceptably (i.e., LOS D or better) and no mitigation would be required. Because the project would not cause any of the requested intersections to operate unacceptably (i.e., LOS E or F), under existing or cumulative plus project conditions, no further analysis or mitigation is required.

## **2.3 WRITTEN AND ORAL COMMENTS AND RESPONSES**

The written comments received on the DEIR and the responses to those comments are provided in this section. All comment letters are reproduced in their entirety, and each is followed by responses to comments on substantive environmental issues.



- A-1 Regarding impacts to State Route 99 (SR 99), it is unclear from the comment what specific impacts should be evaluated. As described in the DEIR (page 4.11-26), the Lathrop Road/Main Street intersection (the western on/off ramp to SR 99 at Lathrop Road) was analyzed in the DEIR and the project would cause this intersection operate unacceptably (i.e., LOS F) during the PM peak hour under existing plus project conditions. However, with implementation of recommended mitigation (i.e., signal improvements), this intersection would operate acceptably (i.e., LOS B) under existing and cumulative plus project conditions.

Comments received on the DEIR requested that the Lathrop Road/South Frontage Road intersection (eastern on/off ramp to SR 99 at Lathrop Road) be evaluated in the DEIR. As described in Master Response 1, the project would not cause this intersection to operate unacceptably (i.e., LOS E or F) under existing or cumulative plus project conditions. Therefore, less-than-significant impacts would occur.

Regarding the operation of the segment of SR 99 near the project site, 2003 Caltrans peak hour traffic volumes along SR 99 at North Manteca (Caltrans' designation for the location near Lathrop Road) indicate that there are approximately 8,400 vehicles traveling northbound and 7,600 vehicles traveling southbound along this freeway segment. It is estimated that the project would generate approximately 130 northbound vehicles and approximately 100 southbound vehicles on SR 99 during the PM peak hour. These project trips would be approximately 1.5% and 1.3%, respectively, of total PM peak hour traffic on SR 99 north and south of Lathrop Road and would not substantially affect the operation of this freeway segment.

Because no specific guidance regarding the traffic impact analysis for SR 99 is provided in the comment, additional response is not feasible.

- A-2 With regards to evaluation of impacts to SR 99, please refer to response to comment A-1.

With regards to proposed mitigation at the Lathrop Road/Main Street intersection, mitigation measure 4.11-2a (page 4.11-33) of the DEIR requires the project applicant to pay its fair share cost for installation of a traffic signal at this intersection. However, the DEIR acknowledges that improvements are proposed for the Lathrop Road/SR 99 interchange and that signal improvements should occur at the time the interchange improvements are completed.

Based upon further review of this intersection, the City has determined that the signal improvements can and should be implemented prior to proposed interchange improvements because this intersection is currently operating unacceptably and a signal is warranted today. As such, Mitigation Measure 4.11-2a has been revised as described below and in Chapter 3, Corrections and Revisions to the DEIR. This change does not alter the conclusions of the DEIR.

4.11-2a: Operation of LOS E at the Lathrop Road/Main Street Intersection Under Existing Conditions and LOS F under Existing Plus Project Conditions.

The project applicant shall pay its fair share of the cost for installation of a traffic signal at the Lathrop Road/Main Street intersection. ~~Because this mitigation measure cannot be implemented until the interchange configurations for Lathrop Road and Main Street are finalized as part of the SR 99 widening to six lanes, the applicant shall coordinate with the City as to timing of implementation of this mitigation measure.~~ Implementation of this measure would improve the operations of this intersection to LOS D. Using Caltrans methodology to determine fair share costs, the URSP project would be responsible for approximately 15.8% of the total cost of this improvement. Because there is a current need for this signal under existing traffic flow conditions, the project applicant shall fully fund the installation of a traffic signal at this intersection and shall coordinate with the City on its installation. Installation of the traffic signal shall be completed before final occupancy of the first housing unit developed as part of Phase 1. Funds for the signal shall be deposited into the City's Public Facilities Improvement Program (PFIP) fund. The project applicant shall also be required to pay appropriate transportation PFIP fees; however, these fees may be reduced or a credit issued to account for funds deposited for the signal that are not the responsibility of the project developer. It is estimated that a refund or credit for 84.2% of the total cost for the traffic signal improvement could occur. Final details on the cost-sharing agreement for the signal improvement will require final approval by the city. The total dollar amount shall be determined in consultation with the appropriate agencies when final project approvals are sought. ~~Payment for improvements will occur as part of the collection of Public Facilities Improvement Program (PFIP) fees at the issuance of building permits.~~

- A-3 Regarding signal warrants used in the traffic analysis, the traffic analysis referenced use of Warrants 10 and 11, which is an incorrect reference. The signal warrant used in the analysis was Warrant 3, Part A and B. Warrants 10 and 11 were the former names for Warrant 3, Part A and B. The name of the signal warrants changed with the publication of the California Supplement to the Manual of Uniform Traffic Control Devices (2004). Because the correct signal warrants were used in the analysis, no changes in the analysis are required.
- A-4 Regarding impacts to SR 99, please refer to response to comment A-1

B-1 The typo referenced by the comment in Table 3-1 has been corrected. This correction is reflected below and in Chapter 3, Corrections and Revisions to the DEIR. These changes do not alter the conclusions of the DEIR.

Table 3-1 is hereby revised as follows:

<b>Table 3-1 Proposed Land Use Summary</b>				
General Plan Designation	Proposed Zoning Designation	# of Dwelling Units	Total Acreage	% of Site
High Density Residential (within Commercial/Mixed-Use)	HDR	341	13.6	3%
Low Density Residential Min Lot Size 6,600 square feet (sf)	R-1-6-UR	535	127.77	23%
Low Density Residential Min Lot Size 7,500 sf	R-1-6-WB	421	116.08	21%
Low Density Residential Min Lot Size 5,500 sf	R-1-5-WB	614	126.20	22%
Low Density Residential Min Lot Size 4,600 sf	R-1-4-WB	390	64.98	12%
Commercial Mixed Use	CMU	N/A	25.34	4%
Open Space/Trails	OS	N/A	32.16	6%
Park	P	N/A	37.29	7%
Major Right-of-Ways	N/A	N/A	9.31	2%
<b>Totals</b>		<b><u>1,960 2,301</u></b>	<b>552.73</b>	<b>100%</b>
Source: HLA Group 2004				

B-2 With regards to the assumptions used for the project’s trip generation in the commercial mixed use development (CMU), the analysis assumed that 35% of the project site would be developed with high-density housing at 20 units per acre which results in the generation of 273 units. This development density was the best information available at the time the EIR analysis commenced. Since that time and just before publication of the DEIR, the development proposal was refined and a total of 341 units are currently proposed. The 68 additional units (341–273 housing units) were not evaluated in the DEIR; these units would generate 411 additional daily trips (31 AM and 38 PM peak hour). Using the same modeling assumptions presented in the traffic analysis and DEIR, these trips would not result in changes in the operation of any study area intersections under Existing with Project and Cumulative with Project scenarios, and as such would not change the conclusions presented in the DEIR. Further, none of the additional requested intersections (see Master Response 1) would operate unacceptably as a result of these units or the project. These units also would not result in substantial increases in air emissions or roadway traffic noise because they are only a small percentage of total trips on local roadways. Impact conclusions identified in the DEIR would be unchanged. This information has been reflected in Table 4.11-3 of the DEIR as presented below and in Chapter 3, Corrections and Revisions to the DEIR.

Table 4.11-3 Projected Trip Generation for the URSP								
	Trip Generation Parameters							
	Quantity	Trip Generation						
		Daily	A.M. Peak Hour			P.M. Peak Hour		
			Inbound	Outbound	Total	Inbound	Outbound	Total
Low Density Single Family Residential	535 units	5,120	96	305	401	351	189	540
Low Density Residential - Active Adult Community	1,425 units	6,612	65	206	271	241	130	371
CMU – Commercial	385.9 ksf	16,571	242	155	397	695	753	1,447
CMU – High Density Housing	<del>273</del> <u>341</u> units	<del>1,835</del> <u>2,246</u>	<del>28</del> <u>34</u>	<del>111</del> <u>136</u>	<del>139</del> <u>170</u>	<del>110</del> <u>135</u>	<del>59</del> <u>72</u>	<del>169</del> <u>207</u>
<b>Total (All Trips)</b>		<b>30,138</b>	<b>431</b>	<b>777</b>	<b>1,208</b>	<b>1,397</b>	<b>1,131</b>	<b>2,528</b>
		<b>30,549</b>	<b>437</b>	<b>802</b>	<b>1,239</b>	<b>1,422</b>	<b>1,144</b>	<b>2,566</b>
Internal Trips: Single Family Residential <sup>2</sup>		<410>	<7>	<25>	<32>	<28>	<15>	<43>
Internal Trips: Active Adult Residential <sup>2</sup>		<992>	<10>	<31>	<41>	<36>	<20>	<56>
Internal Trips: CMU Residential		<183>	<3>	<11>	<14>	<11>	<6>	<17>
Pass-By Trips - Shopping Center <sup>3</sup>		<5,634>	<82>	<53>	<135>	<236>	<256>	<492>
<b>Total External Trips</b>		<b>22,919</b>	<b>329</b>	<b>657</b>	<b>986</b>	<b>1,086</b>	<b>834</b>	<b>1,920</b>
		<b>22,330</b>	<b>335</b>	<b>682</b>	<b>1,017</b>	<b>1,111</b>	<b>847</b>	<b>1,958</b>
<sup>1</sup> ksf = thousand square feet <sup>2</sup> Internal trip reduction: Active adult community = 15%, single family residential = 8%, CMU residential = 10% <sup>3</sup> Pass-by rates from Trip Generation handbook, October 1998, ITE: shopping center (assumed) = 34%								

- B-3 With regards to the roadway monitoring recommended in Mitigation Measure 4.11-4 (page 4.11-35), monitoring activities will occur on all local roadways within the project vicinity as determined by the City of Manteca. These roadways will include City of Manteca, City of Lathrop, and County of San Joaquin roadways. If repair of a County roadway is required, it will be repaired in accordance with the appropriate jurisdiction's requirements for such activities.
- B-4 With regard to review of the project's Construction Management Plan (CMP), the CMP will be submitted to the San Joaquin County Department of Public Works at the time it is submitted to the City of Manteca for review.
- B-5 It appears that the comment is referencing a typographical error in the Introduction of Appendix H. The Union/Road/Lovelace Road and the Union Road/French Camp Road intersections are County intersections studied in the traffic analysis. The following text of the traffic analysis is revised as follows and is presented in Chapter 3, Corrections and Revisions to the DEIR of this document. This change does not alter the conclusions of the DEIR.

This report documents kDANDERSON Transportation Engineers' assessment of the traffic impacts associated with implementing the Union Ranch Specific Plan. The proposed project will develop approximately 550 acres north of Lathrop Road in the City of Manteca. The project includes 1960 low-density residential units, 273 mixed-use high-density residential housing units and about 385,900 square feet of commercial uses. Figure 1 presents the project location within the City of Manteca (nos. 1-9). Figure 2 presents the location of the project specific intersections. The project is located along a major thoroughfare between I-54 and SR99, and as part of this study four intersections within the City of Lathrop (nos. 10-13) and ~~one two~~ two intersections within San Joaquin County (no. 1 and 14) were also studied. This report is intended to describe the impacts of developing the

Specific Plan and to serve as a guideline for implementation of roadway infrastructure needed to support anticipated development over the foreseeable future.

- B-6 Please refer to response to comment B-2.
- B-7 Regarding evaluation of traffic impacts to State Route 99/Lathrop Road on and off ramps and the Airport Way/Lovelace Road intersection, please refer to Master Response 1.
- B-8 Regarding interim improvements to the Lathrop Road/Main Street intersection, please refer to response to comment A-2.
- B-9 Regarding dedication of right-of-way (ROW) for needed improvements to the Airport Way/Yosemite Avenue intersection, the DEIR identified (page 4.11-28) that this intersection would operate at an unacceptable level of service (LOS) under Cumulative without Project conditions and the project's traffic contribution would exacerbate this unacceptable condition. Under the City's General Plan, this intersection would be widened to six lanes, and the right-of-way for these improvements has already been secured. To operate this intersection at an acceptable level (i.e., LOS D or better) under Cumulative with Project conditions, this intersection would need to be widened to 8 lanes or more. Currently, no ROW exists to provide these improvements. If this intersection were widened to 8 lanes, the City would need to purchase property near this intersection. Because the City's General Plan does not identify the future expansion of this roadway beyond six lanes, a General Plan Amendment and acquisition of the additional property is needed. The General Plan Amendment would require discretionary approval by the Manteca City council, which is not a certainty. Further, it is not known if property owners would be willing to sell the related property, or if the cost would be justifiable and feasible to pay. Therefore, neither the General Plan Amendment nor the feasibility of acquiring the property can be determined at this time, and the DEIR concluded that the project's exacerbation of an adverse traffic condition at this intersection would be a significant and unavoidable impact. The City will need to consider this impact when deciding approve or deny the project. If the project is approved, the City will need to prepare a Statement of Overriding Considerations describing its reasons for approving the project despite the significant and unavoidable environmental impacts.

C-1 With regard to stormwater quality, the project would be required to meet the requirements of Chapter 13.28 of the City of Manteca Municipal Code. Chapter 13.28 was created through adoption of Ordinance 12.53 by the City of Manteca and establishes minimum storm water management requirements and controls to protect the watersheds within the City of Manteca. Specifically, Section 13.28.030 prohibits illegal discharges that contribute to a violation of applicable water quality standards and Section 13.28.060 requires compliance with the Regional Water Quality Control Board's (RWQCB) National Pollution Discharge Elimination System (NPDES) storm water discharge permit. Also, Section 13.28.070 requires the project to adopt and impose Best Management Practices (BMPs) for any activity, operation, or facility which may pollute or contaminate storm water.

In compliance with the requirements of Chapter 13.28, the Draft URSP lists City of Manteca General Plan policies applicable to water quality and identifies measures that would be implemented at the project site to meet the city's storm water quality standards. The city's water quality policies require minimizing sedimentation and loss of topsoil from soil erosion, minimizing pollution of waterways and surface water bodies from urban runoff, protecting the quality of groundwater, encouraging participation in a basin-wide groundwater management study, and abandonment of existing septic tanks in the specific plan area. The proposed project incorporates structural BMPs to remove pollutant constituents from storm water runoff generated by proposed uses. Examples of BMPs proposed for the project include not exceeding existing peak storm water runoff discharge rates, minimizing storm water pollutants of concern, protecting slopes and channels, providing storm drain system stenciling and signage, properly storing outdoor materials, properly designing trash storage areas, providing proof of ongoing BMP maintenance, and properly designing parking areas.

With regard to the capacity of storm water drainage facilities, the project would incorporate design features including pumps, detention basins, conveyance systems, and a supervisory control and data acquisition (SCADA) system to retain, detain, and discharge in a controlled fashion, storm water generated onsite. As described, in the DEIR (page 4.9-20), the proposed drainage facilities are designed to meet drainage and discharge criteria for a 48-hour, 100-year flood event and would provide sufficient capacity to accommodate project-related storm water volumes. Through the implementation of these water drainage features, development of the project site would not compromise the water drainage capabilities in surrounding areas. The storm drainage improvements proposed for the project site include the following facilities and design elements:

- < Four detention basins with a total volume of 45.3 acre-feet. The detention basins would be designed according to the current City of Manteca Storm Drainage Master Plan standards (adopted in 1986) and standards proposed in the Draft Updated Master Storm Drainage Master Plan (not yet adopted).
- < Detention basins designed using the urbanized shed rainfall for the design storm event of 3.56 inches, which is a 10-year storm event, 48 hour duration.
- < Detention basins designed for the joint purposes of attenuating runoff from the site and providing water quality benefits such as filtration by natural processes.

- < Facility storm drain design, including detention basins and conveyance systems, that is based on the California Stormwater Quality Association (CASQA) Best Management Practices Handbook.
- < Discharges from the proposed detention basins would be pumped into existing city drains and South San Joaquin Irrigation District (SSJID) canal laterals. Canals and drainage facilities that are located on the project site would be replaced with underground pipes in accordance with SSJID design standards. The discharge pumping systems in the detention basin would control the rate of flow of storm water discharges to SSJID facilities within the project site. These facilities ultimately discharge storm water to the French Camp Outlet Canal (FCOC).
- < A SCADA system would be employed and would control operation of the discharge pumps within the onsite detention basins. The SCADA system would only allow the discharge of storm water to SSJID facilities during non-peak flow periods through the use of flow sensors in the SSJID system (including FCOC).

Final design and siting of onsite facilities and connection to offsite facilities will be determined in subsequent design phases and construction documents. The project applicant and City of Manteca will consult with SSJID during the design review for such facilities.

The project incorporates features that are designed to protect water quality and allow for regulated release of storm water into SSJID canals. The storm water drainage facilities associated with the project would meet all standards, regulations, and requirements of the city, SSJID, and RWQCB. Lastly, the project would implement BMPs to protect water quality during construction phases and design phases. Because specific issues pertaining to the project's storm water quality or facility capacity were not identified, no further response can be provided.

- C-2 The project applicant will replace irrigation and drainage facilities displaced by the project in accordance with SSJID requirements for construction, siting, and design.
- C-3 The project applicant will ensure all improvements comply with SSJID current standards, drawings, and policies and all necessary permits will be obtained prior to project construction.
- C-4 Any and all SSJID facilities that require abandonment, replacement, or relocation will be required to be done so in accordance with SSJID requirements.
- C-5 The project applicant will be required to execute an Irrigation Service Abandonment Agreement, if necessary, and will provide for removal of irrigation and drainage facilities and structures on the project site no longer requiring irrigation service in accordance with SSJID standards.
- C-6 The project applicant will be required to dedicate easements for all SSJID facilities on current SSJID forms in accordance with SSJID requirements.
- C-7 The project applicant will be required to submit improvement plans for off-site and on-site improvements for review and approval by the SSJID Board of Directors and all appropriate fees will be paid to SSJID.
- C-8 The project applicant will be required to provide one complete set of "As Built" drawings to SSJID for their use.

D-1 Discussions are currently in progress between the Manteca Unified School District (MUSD), Meritage Homes (the developer of a proposed subdivision north of the project site), and the project applicants to identify necessary school facilities to serve the project and other nearby proposed development.

As described in the DEIR, the project would increase the demand for school services through the generation of an estimated 598 elementary school students (K–8) and 235 high school students (9–12).

Meritage Homes is proposing a residential subdivision that would develop approximately 1,600 new single family homes. MUSD indicated that Meritage Homes plans to provide an elementary school site (approximately 20 acres in size) as part of its development, which would accommodate facility demands generated by this development alone.

A follow-up conversation between MUSD and the City of Manteca occurred on March 21, 2005, regarding school facility needs. This resulted in MUSD submitting a second letter which stated that “the URSP project would place additional demand on Manteca Unified School District to build an elementary school annex.” The letter indicated that the URSP project developers would need to provide an elementary school annex site within the URSP area. The MUSD indicated that the annex site would need to be approximately 10 acres in size and would provide school facilities for grades K–3 students generated by the project (Dwyer, pers. comm., 2005).

Subsequent to receipt of MUSD’s letter and discussions regarding the precise location and size of the school annex site, the project developers have identified a 9-acre annex school site within the URSP area east of Union Road. The 9-acre school site would meet MUSD’s requirements for school facility siting for an annex and would meet K through 3 facility needs for URSP (Dwyer 2005). MUSD has indicated that grades 4 through 8 students generated by the project would be bused to other existing MUSD facilities in the interim, and would eventually attend the elementary school constructed as part of the Meritage Homes development. An appropriate site for the project’s school facility needs has been identified and agreed to by MUSD (Exhibit 1). Identification of this school site does not alter the analysis presented in the DEIR.

D-2 With regard to a recent approved increase in developer fees to pay for school services, the fee increase is acknowledged and the project applicants would be required to pay these fees to the MUSD. No further response is necessary as no environmental issues were raised.

D-3 The comment is acknowledged. Please refer to response to comment D-1.



Exhibit 1 pg 1- Ask Graphics

Exhibit 1 pg 2

- E-1 No specific environmental issues are identified in the comment, so no further response is provided.
- E-2 Regarding impacts to the I-5/Roth Road and I-5/Louise Avenue interchanges please refer to Master Response 1.
- E-3 The comment is correct, the Lathrop Road/McKinley Avenue intersection is within the City of Lathrop. Table 4.11-4 of the DEIR has been revised and this change is presented in Chapter 3, Corrections and Revisions to the DEIR. This change does not change the conclusions of the DEIR.
- E-4 Regarding future roadway widening along Lathrop Road between the project site and I-5 the DEIR determined that the project would result in the need for a signal improvement at the I-5/Lathrop Road intersection (page 4.11-23); however widening of this roadway would not be required at this time. Further, with implementation of recommended mitigation, the project applicant would contribute its fair share contribution for the installation of this signal improvement. The comment did not provide information that would support the need for widening of this roadway, so no additional response can be provided.

Regarding a regional transportation study, as an action independent and separate from the project, the City is currently undertaking a study in cooperation with other regional agencies to identify regional transportation facilities, likely improvements needed to meet buildout conditions, and whether establishment of a regional transportation fee to fund needed improvements is necessary. This study is in its initiation stage, is not expected to be completed for at least one year and is not required or proposed as mitigation for the project. The impacts of the proposed project and requisite mitigation measures have been fully addressed in this EIR. The conclusions of the DEIR are unchanged and no additional mitigation is required.

- E-5 Regarding the project's contribution to regional impacts at the Lathrop Road/I-5 interchange, it is estimated that the project would contribute 2.2% of trips to this intersection. Mitigation was recommended that would require the project applicant to contribute its fair share to the installation of a signal at this intersection. With the signal improvement, this intersection would operate at an acceptable level (i.e., LOS C).

The City acknowledges that the project would contribute trips to the Lathrop Road/I-5 interchange and future improvements to this interchange are proposed by the City of Lathrop and Caltrans. Cost of regional interchange improvements are highly variable and can range up to several million dollars. No specific costs have been identified for the Lathrop Road/I-5 interchange and it has not been designed yet; however, because of its location and similar facilities, it is likely that the Lathrop Road/I-5 interchange improvements will have costs in the range of State Route 120/Yosemite Avenue interchange (\$14 million). This is the best estimate of costs currently available. Because improvements are identified for the Lathrop Road/I-5 interchange, the project would contribute trips to this interchange, and a regional transportation fee has not been adopted by the City of Manteca, the City of Manteca will require the project applicants to deposit a fair share contribution of funds (2.2%) for the improvement of this

interchange. Based on a \$14 million cost estimate, the project applicants shall deposit \$308,000 into an escrow account. The City of Manteca believes this is a reasonable contribution, given the best available information at this time. If and when the interchange improvements are finalized, these funds shall be forwarded to the agency or funding mechanism (e.g., the City of Lathrop's Capital Facilities Fee) responsible for carrying out these improvements.

E-6 The comment is correct, the City of Manteca does not have an adopted regional transportation fee. As described above, the City is currently undertaking a study in cooperation with other regional agencies. This study is in its initiation stage and it is not expected to be completed for at least one year. At that time and based on the results of the study it will be determined whether or not a regional transportation fee program will be required. However, as described above (response E-5), the proposed project will contribute its fair share to identified cumulative impacts.

E-7 Regarding operational and congestion impacts on project area roadways, the DEIR evaluated operational impacts to 14 study area intersections and supplemented this analysis with an additional 9 intersections in this response to comments document (see Master Response 1). An intersection is critical to how a roadway operates because it controls the flow of traffic on area roadways. If an intersection is operating acceptably, it allows the free movement of vehicles. If an intersection is operating unacceptably, it causes the back up and slow flow of traffic. Therefore, the width of roadways is usually dependent on the operation of area intersection. If a signalized intersection is operating unacceptably, then widening of the intersection and nearby roadways may be required to improve its operation. In the case of the Lathrop Road/McKinley Avenue intersection, the DEIR indicated that installation of a traffic signal (Mitigation Measure 4.11-2c) would result in the operation of this intersection at an acceptable level (LOS B) and no roadway widening would be required. No evidence is offered in the comment to support the need for widening of Lathrop or McKinley Road, so no further response can be provided.

Regarding a grade separator at Lathrop Road and McKinley Road, no evidence is offered in the comment to support the need for this improvement at this time, so no further response can be provided. All project impacts (project and cumulative) have been appropriately evaluated in the DEIR and in this response to comments document. Please refer to Master Response 1 and response to comment E-4.

Regarding the preparation of a regional traffic study, please refer to response to comment E-4.

E-8 With regard to evaluation of impacts to Roth Road and the Roth Road/I-5 interchange, please refer to Master Response 1.

Regarding the preparation of a regional traffic study, please refer to response to comment E-4.

E-9 During preparation of the traffic analysis for the DEIR, traffic volume data from the Central Lathrop Specific Plan (CLSP) was used in preparation of the project's transportation analysis. The data and methodology used in the analysis are presented in Appendix H. The comment does not identify any specific inaccuracies between the data used from the CLSP and the data presented in the traffic analysis, so no further response can be provided.

E-10 With regard to project-related traffic impacts to regional roadways including the Lathrop Road/I-5 on and off ramps, Louise Avenue/I-5 intersection, and the Roth Road/I-5 interchange please refer to Master Response 1 and response to comment E-4. Project and cumulative impacts to the referenced roadways have been appropriately evaluated in the DEIR and in this responses to comment document. All study area roadways would operate acceptably with implementation of

the project and recommended mitigation including fair-share contribution for roadway improvements. No information is provided in the comment to support the need for additional analysis or mitigation beyond what was provided in the DEIR. Therefore, no further response can be provided.

- E-11 With regards to the City's participation in a regional transportation study, please refer to response to comment E-4.
- E-12 A copy of the FEIR will be forwarded to the City of Lathrop for their review. Notices for upcoming planning commission and city council meetings addressing the project will be sent to all commenters requesting notification.

- F-1 The comment summarized subsequent comments in the letter. Please refer to response to comments F-2 through F-15.
- F-2 On July 29, 2004 the cities of Manteca, Lathrop, Tracy, Escalon, and South San Joaquin Irrigation District (SSJID) entered into a settlement agreement with the Sierra Club (Mother Lode Chapter), DeltaKeeper, and the California Sportfishing Protection Alliance as a result of pending litigation on the SSJID South County Water Supply Project. Terms of the settlement agreement require that the City of Manteca adopt of Farmland Conversion Fee that requires developers within the City to pay a per acre charge (a minimum of \$2,000 per lost acre) for the development of Prime Farmlands, Farmlands of Statewide Importance, and Unique Farmlands that use water from the SSJID project. The City is currently in process of researching the establishment of this fee.

Regarding the project's development of prime farmlands, the DEIR acknowledged that the project would develop 530 acres of important farmland (as defined by the settlement agreement) and that its development would be a significant environmental impact. Mitigation recommended in the DEIR requires the project applicants to participate in the San Joaquin County Multi-Species Open Space and Conservation Plan (SJMSCP), which requires the applicant to pay a per acre fee for the mitigation of biological impacts, loss of agricultural land, habitat conversion impacts. This fee will be used by the San Joaquin Council of Governments (SJCOG) for the purchase of mitigation lands for open space and habitat and farmland conservation. To date, SJCOG has purchased 1,121 acres of natural and agricultural lands, the majority of which are agricultural lands (784 acres). The purchased agricultural lands can be use to offset impacts from projects which convert agricultural lands, including the proposed project. SJCOG intends to purchase and additional approximate 2,700 acres of agricultural mitigation lands by the end of 2006. In 2004 alone, SJCOG collected approximately \$9.5 million in mitigation fees (SJCOG 2005). SJCOG will use these funds to partially offset the loss of agricultural land, but full replacement is not feasible as these funds are used for multiple purposes. Although the project's impacts would be lessened, they would only be partially offset and a significant and unavoidable impact would remain.

Because the City is required, through the settlement agreement, and does intend to adopt a Farmland Conservation Fee prior to completion of the project, the project applicants shall be required to deposit \$1,060,000 (\$2,000 x 530) in an escrow account at the time grading permits are issued for the project. These funds will be held in escrow until the City adopts a farmland conservation fee. Once adopted, the funds will be forwarded to a land trust selected by the City for the management and purchase of farmland conservation easements. These funds (which are supplemental to funds collected as part of the SJMSCP) would be directed to the purchase of permanent farmland conservation easements. However, it is not known, due to fluctuating land prices, how many acres can be preserved through an easement. Further, no matter how many acres are conserved, the 530 acres of farmland would still be lost. Therefore, the project's farmland impacts would remain significant and unavoidable, and the DEIR's conclusions would be unchanged. Mitigation Measure 4.1-4 of the DEIR is revised as follows and this revision is presented in Chapter 3, Corrections and Revisions to the DEIR. This change does not alter the conclusions of the DEIR.

Page 4.1-21, paragraph 4 of the DEIR is revised as follows:

**4.1-4 Conversion of Important Farmland.** The project applicant shall participate in the SJMSCP. Appropriate fees shall be paid by the project applicant to the City for forwarding to SJCOG on a per-acre basis for lost agricultural land during development of proposed URSP and associated offsite utility infrastructure. The SJCOG will use these funds to purchase conservation easements on agricultural and habitat lands in the project vicinity (in the Central Index Zone identified in the SJMSCP). The preservation in perpetuity of agricultural lands through the SJMSCP, a portion of which would consist of Important Farmland, would ensure the continued protection of farmland in the project vicinity, partially offsetting project impacts.

Until the City adopts a farmland conversion fee, the project applicant shall deposit appropriate mitigation funds into an escrow account for the loss of prime and important farmlands. At a minimum, a \$2,000 fee for every acre of prime and important farmlands that are developed shall be assessed on the project. A total of \$1,060,000 (\$2,000 x 530 acres) shall be deposited and held in escrow. Once a farmland conservation fee has been adopted by the City and/or the City selects a designated land trust organization, these funds shall be transferred to the designated land trust organization for use in purchasing farmland conservation easements. The final determination of the adopted fee will be made by the City and the project applicants will be required to comply with the fee requirements.

Implementation of Mitigation Measure 4.1-4 would substantially lessen significant impacts associated with the conversion of Prime and Important Farmland on the URSP site and associated utility corridors because funding conservation easements would provide assistance to public and private sectors in protecting other farmland from the pressures of development. The farmland conservation fee would be used to specifically purchase farmland easements to partially offset project impacts (530 acres would still be unavoidably lost. The SJCOG easements are purchased for land exhibiting benefits to wildlife, including a combination of habitat, open space, and agricultural lands, so the compensation provided by the fee contribution for the project would not be applied exclusively to agricultural lands. Therefore, fees contributed to the SJMSCP would only partially offset conversions of Important Farmland associated with project impacts implementation. In addition, no new farmland would be made available, and the productivity of existing farmland would not be improved as a result of either the farmland conservation fee or the SJMSCP mitigation. Therefore, full compensation for losses of Prime and Important Farmland would not be achieved. Impact 4.1-4 would remain significant after mitigation.

- F-3 The DEIR acknowledges that mitigation fees paid under the SJMSCP would not be directed exclusively toward the purchase of agricultural conservation easements and that among the agricultural lands that would be placed under conservation easements, only a portion would consist of Important Farmland. The DEIR properly acknowledges that, even with implementation of the mitigation associated with SJMSCP participation, the impact would remain significant and unavoidable. The commenter provides no evidence to support the contention that the San Joaquin Council of Governments (SJCOG) has a poor record in acquiring agricultural easements. It is the understanding of the City of Manteca that SJCOG is implementing the SJMSCP in a manner consistent with the requirements of that plan. With regard to mitigation lands that have been purchased or are intended to be purchased by SJCOG, please refer to response to comment F-2.

F-4 The Central Valley Farmland Trust is a new non-profit land trust organization that has formed as a result of the merger of four former land trust organizations: Sacramento Agricultural Farmland Trust and Conservancy, Stanislaus Farmland Trust, Merced County Farmland and Open Space Trust, and San Joaquin County Farmland Trust (King, pers. comm., 2005). The purpose of the CVFT is to use funds collected from developers in Merced, Stanislaus, Sacramento, and San Joaquin counties to purchase farmland conservation easements in accordance with applicable local farmland conservation policies. The CVFT has or is in the process of purchasing 10 farmland conservation easements within the four-county area (King, pers. comm., 2005).

The CVFT is a land trust organization that could be selected by the City for the administration and use of farmland conservation fees (see response to comment F-2) collected from developers within the City.

Because no specific environmental issues have been raised, no further response can be provided.

F-5 Regarding open space, parks, and greenbelt areas proposed as part of the project, the proposed land use plan includes an open space corridor along the eastern border of the project site with connection to the proposed public and private parks and pedestrian trail systems within the proposed development (see Exhibit 3-3). The open space corridor along the eastern border is intended to provide separation of the project from the adjacent agricultural activities that occur immediately east of the project site. Open space corridors and greenbelts are not proposed south of the project site because this area is developed with urban land uses. Open space corridors and greenbelts are not proposed along the northern and western border of the project site because these adjacent lands are designated in the City's General Plan for future urban development (low-density residential, business park, and light industrial uses) and an open space buffer would not be necessary under buildout conditions.

Regarding interim land use conflicts associated with urban development adjacent to farmlands and open space, the DEIR recommended mitigation (Mitigation Measure 4.1-2), which requires development of the project to be phased to avoid fragmenting existing agricultural operations; fencing, walls, or other suitable barriers to establish a barrier to adjacent agricultural lands; the provision of information to future property owners about conflicts that may occur with adjacent agricultural operations and acknowledgement of the City of Manteca's Right-to-Farm Ordinance; and requires the applicant to pay fees (i.e., SJCOG fees, Farmland Conversion Fee) that will be used for the purchase farmland conservation easements. Because the project is located in an area proposed for future urban development, the provision of long-term open space buffers is not necessary.

F-6 Regarding regional transportation mitigation fees, the DEIR acknowledges that the San Joaquin County is in process (page 4.11-14) and the City of Lathrop has established a regional transportation fee program (Capital Facilities Fee) (page 4.11-26), which requires developers to pay a per unit fee for regional transportation improvements (e.g., interchange improvements).

The City of Manteca currently does not have an adopted regional transportation fee program. As an action separate and independent from the project, the City is undertaking a study in cooperation with other regional agencies to identify regional transportation facilities, likely improvements needed to meet buildout conditions, and whether establishment of a regional transportation fee to fund needed improvements is necessary. This study is in its initiation stage and it is not expected to be completed for at least one year. At that time and based on the results of the study it will be determined whether or not a regional transportation fee program will be required. However, the impacts (project and cumulative) of the project and requisite mitigation



measures have been fully evaluated in the DEIR and in this response to comments document. Please refer to Master Response 1 and response to comment E-4.

Regarding the project's impact to regional roadways, the DEIR identified impacts and recommended mitigation for roadways and intersections affected by the project. Recommended mitigation includes the project applicant's payment of their fair-share contribution for roadway and intersection improvements including roadway improvements with the cities of Manteca and Lathrop. Recommended mitigation, if implemented, would reduce the project's impacts to area roadways and intersections to a less-than-significant level. However, the DEIR acknowledges that for some intersections (i.e., those within the City of Lathrop) implementation of the recommended improvements is beyond the City of Manteca's and project applicants control and it unknown when implementation would occur. Therefore, because of the uncertainty, impacts to these intersections would remain significant and unavoidable.

The City acknowledges that the project would contribute vehicle trips on regional facilities including the Lathrop Road/ SR 99 interchange and the Lathrop Road/I-5 interchange. Regarding impacts to SR 99 please refer to response to comment A-2. Regarding the projects contribution to regional impacts at the Lathrop Road/I-5 interchange, please refer to response to comment E-5.

F-7 With regards to regional transportation studies, please refer to response to comment F-6.

F-8 With regard to payment of a regional transportation impact fee, please refer to response to comment E-5 and F-6.

With regards to implementation of recommended mitigation at the Lathrop Road//I-5 intersection, the DEIR acknowledges that the implementation schedule will be subject to the City of Lathrop's control. The City of Manteca and the project applicants will coordinate with the City of Lathrop to implement these improvements prior to the build out of the URSP area; however, it is unknown and uncertain at this time if this will be feasible. Therefore, the DEIR has properly concluded that this would be a significant and unavoidable impact.

F-9 Regarding available wastewater treatment capacity at the City of Manteca's Wastewater Quality Control Facility (WQCF), the comment offers no evidence to support the contention that adequate treatment capacity is not available.

The City of Manteca has identified and is in process of constructing the necessary improvements for the upgrade and expansion of the WQCF. These upgrade and expansion activities were evaluated in the EIR for the Manteca WQCF Phase III/IV Expansion Project, which was approved in June 2001. The expansion project consists of multiple phases that would incrementally expand the capacity (up to 9.87 million gallons per day [mgd]) and treatment processes at the WQCF.

Four phases were identified for the expansion project, two of which are already completed (Phases A and B) and have increased the WQCF's capacity to 8.11 mgd. Phases C and D are anticipated to be complete in July 2006 and would increase the WQCF's capacity to 9.87 mgd. These improvements would be completed prior to the buildout of the URSP project and would provide sufficient treatment capacity to accommodate the project (Govea, pers. comm. 2005). Further, wastewater treatment capacity for the project will be assured through the adoption of a development agreement between the City and the project applicants, which will identify appropriate sewer allocations for the project by phase of development. These sewer allocations will guarantee appropriate treatment capacity exists for the project.

Regarding water quality requirements and the City's waste discharge requirements (WDRs), the WQCF's Regional Water Quality Control Board (RWQCB) WDRs were adopted in March 2004. These WDRs are for a rated WQCF capacity of 9.87 mgd, which would include proposed expansion, as described above. Adequate capacity is available to serve the project (Govea, pers. comm., 2005).

- F-10 Regarding air quality mitigation, Mitigation Measure 4.3-4 (page 4.3-23 of the DEIR) requires the project to incorporate all feasible and approved air quality measures as identified by the San Joaquin Valley Air Pollution Control District (SJVAPCD). These measures include minimizing fugitive dust during construction activities, using alternative fueled equipment (i.e., electric vehicles), and minimizing the duration of construction periods. In addition, the project as proposed incorporates elements and features that encourage reduced air emissions. For example, the project includes a senior housing development and these types of land uses typically result in reduced vehicle trips compared to traditional signal family developments. The project also includes a network of pedestrian trails and parks that would be connected throughout the site, to the commercial mixed use area, to adjacent developments, and to downtown Manteca. Community shuttle vehicles will be provided to the residents of the senior housing development for group trips to local shopping centers. Further, subject to the City's approval, the senior housing developer is willing to provide dedicated outlets for electric vehicles in all garages, and dedicated electric vehicle parking spaces at the Recreation Center and in the Commercial Mixed-Use areas. All feasible mitigation to reduce air quality emissions has been incorporated to the project.
- F-11 A search of the California Natural Diversity Database (CNDDDB) (Lathrop and Manteca quadrangles) was conducted to determine the closest known record of nesting Swainson's hawk to the project site. The closest known record is located 1.9 miles southwest of the project site. The record occurs on the south side of Yosemite Avenue, approximately 0.3 mile east of McKinley Avenue. This record is from 1998 when two adult hawks were observed nesting in a cottonwood tree.
- F-12 As described in the Section 4.5.4, Mitigation Measures, of the Biological Resources section of the DEIR (page 4.5-19), the project would be required to participate in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) for mitigation of the project's biological impacts, including impacts to Swainson's hawk. The California Department of Fish and Game (DFG) participated in the development of the SJMSCP and approved the plan. As a result, DFG has agreed to the concept that the SJMSCP provides adequate mitigation for impacts to Swainson's hawk including the loss of foraging habitat and the DFG Swainson's hawk mitigation guidelines are superseded by the SJMSCP Swainson's hawk mitigation guidelines. If a project applicant participates in the SJMSCP, then they are not required to consult with DFG or provide mitigation beyond the requirements established by the SJMSCP.
- F-13 Regarding conservation easements purchased by SJCOG, please refer to response to comment F-2.
- F-14 The DEIR evaluated a reasonable range of project alternatives as required by Section 15126.6(a) of the State CEQA Guidelines. As described in Chapter 7 of the DEIR, a No Project Alternative, Mitigated Design Alternative, and an Offsite Alternative were evaluated. The purpose of the alternatives analysis is to evaluate those alternatives that "would feasibly attain most of the basic project objectives but would avoid or substantially lessen the significant effects" (State CEQA Guidelines Section 15126.6[a]). As such, the DEIR evaluated two alternatives that would meet some or all project objectives and reduce or avoid the project significant impacts: Mitigated

Design Alternative and Offsite Alternative. As described in Section 7.1, the project's significant and unavoidable impacts include impacts to important farmland, visual resources, air quality, operational noise, and transportation. Therefore, alternatives that would substantially reduce or avoid these impacts were evaluated in the DEIR. Because the comment offers no evidence to support that the alternatives analysis is inadequate, no further response can be provided.

With regards to the Mitigated Design Alternative, this alternative was developed for the specific purpose of reducing or avoiding the project significant and unavoidable farmland, visual resources, air quality, operational noise, and transportation impacts. This alternative would constrain development to a reduced project site. Development would occur in a manner so as to avoid the project's significant air quality impacts. Based on emissions thresholds, development would need to be at a level that would only generate emissions comparable to a 460-unit development. This reduced development would reduce the important farmland developed, would reduce noise-generating sources including stationary and mobile sources, would reduce vehicle trips on area roadways, and would reduce the overall area where development would occur thereby reducing visual and habitat impacts including reduced development of foraging lands. Further, impacts to Swainson's hawk are mitigated to a less-than-significant level through the project's participation in the San Joaquin Multi-species Open Space and Habitat Management Plan; therefore, an alternative that would reduce Swainson's hawk impacts is not required. The analysis in the DEIR provided a good faith effort to compare the project's impacts to this alternative, and concluded that this alternative would be environmentally superior to the project. It will be up to the City of Manteca to determine whether the project's benefits outweigh its significant environmental impacts and whether an alternative development should be proposed. Because the alternatives analysis is compliant with CEQA and the State CEQA Guidelines, no additional response can be provided. With regards to measures to reduce air emissions, please refer to response to comment F-10.

- F-15 A copy of the FEIR will be forwarded to the Sierra Club for review. No further response is necessary as no specific environmental issues have been raised.

## 3 CORRECTIONS AND REVISIONS TO THE DEIR

### 3.1 INTRODUCTION

This chapter includes revisions to the text in the DEIR subsequent to its publication and public review. The changes are presented in the order in which they appear in the original DEIR and are identified by DEIR page number. Revisions are shown as excerpts from the DEIR text, with strikethrough (~~strikethrough~~) text for deletions and underline (underline) text for additions.

### 3.2 CORRECTIONS AND REVISIONS

#### Section 3, Project Description

Table 3-1 is hereby revised as follows:

<b>Table 3-1 Proposed Land Use Summary</b>				
General Plan Designation	Proposed Zoning Designation	# of Dwelling Units	Total Acreage	% of Site
High Density Residential (within Commercial/Mixed-Use)	HDR	341	13.6	3%
Low Density Residential Min Lot Size 6,600 square feet (sf)	R-1-6-UR	535	127.77	23%
Low Density Residential Min Lot Size 7,500 sf	R-1-6-WB	421	116.08	21%
Low Density Residential Min Lot Size 5,500 sf	R-1-5-WB	614	126.20	22%
Low Density Residential Min Lot Size 4,600 sf	R-1-4-WB	390	64.98	12%
Commercial Mixed Use	CMU	N/A	25.34	4%
Open Space/Trails	OS	N/A	32.16	6%
Park	P	N/A	37.29	7%
Major Right-of-Ways	N/A	N/A	9.31	2%
<b>Totals</b>		<b><del>1,960</del> <u>2,301</u></b>	<b>552.73</b>	<b>100%</b>
Source: HLA Group 2004				

#### Section 4.1, Land Use and Agricultural Resources

Page 4.1-21, paragraph 4 of the DEIR is revised as follows:

**4.1-4 Conversion of Important Farmland.** The project applicant shall participate in the SJMSCP. Appropriate fees shall be paid by the project applicant to the City for forwarding to SJCOG on a per-acre basis for lost agricultural land during development of proposed URSP and associated offsite utility infrastructure. The SJCOG will use these funds to purchase conservation easements on agricultural and habitat lands in the project vicinity (in the Central Index Zone identified in the SJMSCP). The preservation in perpetuity of agricultural lands through the SJMSCP, a portion of which would consist of Important Farmland, would ensure the continued protection of farmland in the project vicinity, partially offsetting project impacts.

Until the City adopts a farmland conversion fee, the project applicant shall deposit appropriate mitigation funds into an escrow account for the loss of prime and important farmlands. At a

minimum, a \$2,000 fee for every acre of prime and important farmlands that are developed shall be assessed on the project. A total of \$1,060,000 (\$2,000 x 530 acres) shall be deposited and held in escrow. Once a farmland conservation fee has been adopted by the City and/or the City selects a designated land trust organization, these funds shall be transferred to the designated land trust organization for use in purchasing farmland conservation easements. The final determination of the adopted fee will be made by the City and the project applicants will be required to comply with the fee requirements.

Implementation of Mitigation Measure 4.1-4 would substantially lessen significant impacts associated with the conversion of Prime and Important Farmland on the URSP site and associated utility corridors because funding conservation easements would provide assistance to public and private sectors in protecting other farmland from the pressures of development. The farmland conservation fee would be used to specifically purchase farmland easements to partially offset project impacts (530 acres would still be unavoidably lost). The SJCOG easements are purchased for land exhibiting benefits to wildlife, including a combination of habitat, open space, and agricultural lands, so the compensation provided by the fee contribution for the project would not be applied exclusively to agricultural lands. Therefore, fees contributed to the SJMSCP would only partially offset conversions of Important Farmland associated with project impacts implementation. In addition, no new farmland would be made available, and the productivity of existing farmland would not be improved as a result of either the farmland conservation fee or the SJMSCP mitigation. Therefore, full compensation for losses of Prime and Important Farmland would not be achieved. Impact 4.1-4 would remain significant after mitigation.

#### **Section 4.5, Biological Resources,**

Page 4.5-10, second full paragraph, is revised as follows:

##### ***Sensitive Habitats***

Sensitive habitats include those that are of special concern to resource agencies or are afforded specific consideration through CEQA, Section 1602 of the California Fish and Game Code, and/or Section 404 of the Clean Water Act. The freshwater marsh habitat within the irrigation ditches on the project site could be considered sensitive habitat by regulatory agencies and protected under the County General Plan and Development Title 9-1505. Oak trees could be eligible for protection under the County General Plan and Development Title 9-1505, as well as the City Municipal Code § 17.61.030 and 17.19.060. The U.S. Army Corps of Engineers (USACE) may take jurisdiction over the agricultural ditches on the project site, even though they appear to have been excavated in uplands and do not appear to correspond to former natural drainages. USACE and DFG may also take jurisdiction over a drainage canal and associated nonnative riparian habitat located immediately to the east of the project site.

The nonnative riparian habitat is dominated by weeping willow (*Salix babylonica*) and black locust (*Robinia pseudoacacia*). This habitat could support wildlife species including nesting Swainson's hawks, white-tailed kites, and/or other raptors.

Page 4.5-18, Impact 4.5-7, is revised as follows:

Impact  
4.5-7

**Impacts to Sensitive Habitats.** *Implementation of the project could result in fill or reconfiguration of up to approximately 1.29 acres of freshwater marsh habitat associated with the irrigation ditches traversing the project site. This would be a significant impact.*

Approximately 1.29 acres of irrigation ditches supporting freshwater marsh vegetation could be converted or filled as a result of project implementation. Freshwater marsh is considered a sensitive habitat type under Section 1602 of the Fish and Game Code of California and the irrigation ditches are potentially subject to USACE jurisdiction under Section 404 of the CWA. Conversion and/or fill of waters of the United States and disturbance or removal of freshwater marsh habitat would be a significant impact.

Project implementation could also result in disturbance to the drainage canal and associated nonnative riparian habitat immediately to the east of the project site. The nonnative riparian habitat could be considered a sensitive habitat type under Section 1602 of the Fish and Game Code of California and the drainage canal is potentially subject to USACE jurisdiction under Section 404 of the CWA. Removal of, or damage to the nonnative riparian habitat could be a significant impact if wildlife species (e.g., raptors) are using the habitat for breeding. Fill or removal of the drainage canal could be a significant impact pursuant to Section 404 of the CWA.

#### **Section 4.10, Public Services and Utilities,**

Pages 4.10-4 (last paragraph) and 4.10-5 (first paragraph) are revised as follows:

##### **POLICE SERVICES**

The Manteca Police Department is a full service law enforcement agency comprised of ~~over 70~~ 68 sworn staff and 30 civilian support staff. The department is organized into two divisions: Operations, and Services. Operations is the largest division of the department and includes all uniformed officers and their support teams. Operations Division units include patrol, traffic, school resource officers, community service officers, special weapons and tactics (SWAT), crisis response team, mounted patrol, canine, gangs, and bomb squad. The Services Division includes all the teams and units that support the police function of the department, including dispatch, records, property and evidence, crime analysis, and animal services. In addition, the department has more than ~~200~~ 100 volunteers working with its officers and employees.

The department operates out of 1001 West Center Street, Manteca, approximately 2.3 miles south of the project site. The department uses a staffing ratio goal of ~~one 1.5 patrol sworn~~ officers to every 1,000 residents and is generally able to meet this goal (Manteca Police Department 2004.)

Page 4.10-21, fourth and fifth paragraphs are revised as follows:

Police services would be provided to the URSP project site by the Manteca Police Department, which is composed of ~~more than 70~~ 68 sworn staff, 30 civilian support staff, and more than ~~200~~ 100 volunteers. The police department is located approximately 2.3 miles south of the project site. The department uses a staffing ratio goal of ~~one 1.5 patrol sworn~~ officers to every 1,000 residents.

The estimated residential population of the project would be 5,150 persons at full buildout. The City would provide police services to this projected population which would require ~~5~~ 8 sworn officers at buildout. In addition, the project would require 3 additional non-sworn personnel to maintain the current ratio of non-sworn personnel per 1,000 residents. As stated in the City's General Plan, minimum feasible police response times for police calls would be maintained through staffing and patrol arrangements to projected populations. The City requires new development to pay its "fair share" of all costs associated with the provision of required public services, which would provide funding for any additional necessary facilities or equipment.

#### **Section 4.11, Transportation and Circulation,**

Table 4.11-3 is revised as follows:

<b>Table 4.11-3 Projected Trip Generation for the URSP</b>								
	Trip Generation Parameters							
	Quantity	Trip Generation						
		Daily	A.M. Peak Hour			P.M. Peak Hour		
			Inbound	Outbound	Total	Inbound	Outbound	Total
Low Density Single Family Residential	535 units	5,120	96	305	401	351	189	540
Low Density Residential - Active Adult Community	1,425 units	6,612	65	206	271	241	130	371
CMU – Commercial	385.9 ksf	16,571	242	155	397	695	753	1,447
CMU – High Density Housing	<del>273</del> <u>341</u> units	<del>1,835</del> <u>2,246</u>	<del>28</del> <u>34</u>	<del>111</del> <u>136</u>	<del>139</del> <u>170</u>	<del>110</del> <u>135</u>	<del>59</del> <u>72</u>	<del>169</del> <u>207</u>
<b>Total (All Trips)</b>		<b><u>30,138</u></b>	<b><u>431</u></b>	<b><u>777</u></b>	<b><u>1,208</u></b>	<b><u>1,397</u></b>	<b><u>1,131</u></b>	<b><u>2,528</u></b>
		<b><u>30,549</u></b>	<b><u>437</u></b>	<b><u>802</u></b>	<b><u>1,239</u></b>	<b><u>1,422</u></b>	<b><u>1,144</u></b>	<b><u>2,566</u></b>
Internal Trips: Single Family Residential <sup>2</sup>		<410>	<7>	<25>	<32>	<28>	<15>	<43>
Internal Trips: Active Adult Residential <sup>2</sup>		<992>	<10>	<31>	<41>	<36>	<20>	<56>
Internal Trips: CMU Residential		<183>	<3>	<11>	<14>	<11>	<6>	<17>
Pass-By Trips - Shopping Center <sup>3</sup>		<5,634>	<82>	<53>	<135>	<236>	<256>	<492>
<b>Total External Trips</b>		<b><u>22,919</u></b>	<b><u>329</u></b>	<b><u>657</u></b>	<b><u>986</u></b>	<b><u>1,086</u></b>	<b><u>834</u></b>	<b><u>1,920</u></b>
		<b><u>22,330</u></b>	<b><u>335</u></b>	<b><u>682</u></b>	<b><u>1,017</u></b>	<b><u>1,111</u></b>	<b><u>847</u></b>	<b><u>1,958</u></b>
<sup>1</sup> ksf = thousand square feet <sup>2</sup> Internal trip reduction: Active adult community = 15%, single family residential = 8%, CMU residential = 10% <sup>3</sup> Pass-by rates from Trip Generation handbook, October 1998, ITE: shopping center (assumed) = 34%								

Table 4.11-4 is revised as follows:

<b>Table 4.11-4 Peak Hour Intersection Levels of Service</b>								
Location (Agency Jurisdiction)	Existing		Existing + Project		Cumulative		Cumulative Plus Project	
	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.
1. Union Road / Lovelace Road (Manteca)	8.5 / A	9.9 / A	8.6 / A	10.6 / B	9.8 / A	8.8 / A	10.1 / B	9.5 / A
2. Lathrop Road / McKinley Avenue (Manteca / Lathrop)	14.4 / B	21.6 / C	16.5 / C	<b>35.6 / E*</b>	<b>&gt;999 / F*</b>	<b>42.5 / E</b>	<b>&gt;999 / F</b>	<b>136.3 / F</b>
3. Lathrop Road / Airport Way(Manteca)	28.1 / C	27.5 / C	30.3 / C	37.9 / D	48.0 / D	34.3 / C	51.3 / D	45.6 / D
4. Lathrop Road / London Avenue (Manteca)	15.5 / B	13.1 / B	14.4 / B	19.3 / B	27.2 / C	13.9 / B	29.3 / C	17.6 / B
5. Lathrop Road / Union Road(Manteca)	32.1 / C	33.6 / C	49.5 / D	<b>154.0 / F**</b>	33.3 / C	29.1 / C	51.2 / D	50.3 / D
6. Lathrop Road / Main Street(Manteca)	17.6 / C	<b>40.8 / E*</b>	25.3 / D	<b>123.3 / F</b>	42.7 / D	29.5 / C	45.9 / D	31.9 / C
7. Airport Way / Louise Avenue(Manteca)	24.8 / C	<b>135.0 / F*</b> 21.9 / C	33.7 / D	<b>181.0 / F</b> 24.1 / C♦	29.5 / D	35.8 / D	50.9 / D	36.0 / D
8. Union Road / Louise Avenue(Manteca)	29.9 / C	34.0 / C	29.5 / C	37.1 / D	49.7 / D	44.3 / D	54.0 / D	50.1 / D
9. Airport Way / Yosemite Avenue(Manteca)	30.6 / C	32.6 / C	31.0 / C	33.2 / C	<b>86.3 / F</b>	41.2 / D	<b>87.8 / F</b>	43.5 / D
10. Lathrop Road / I-5 SB Ramps (Lathrop)	34.9 / D	<b>133.3 / F*</b> 21.5 / C	<b>83.1 F</b> 29.6 / C♦	<b>301.0 / F</b> 23.3 / C♦	24.8 / C	29.4 / C	25.4 / C	33.3 / C
11. Lathrop Road / I-5 NB Ramps (Lathrop)	11.3 / B	19.4 / C	11.9 / B	33.7 / D	27.7 / C	35.2 / D	29.8 / C	43.4 / D
12. Lathrop Road / Harlan Road (Lathrop)	21.3 / C	21.8 / C	19.9 / B	21.3 / C	37.9 / D	21.8 / C	42.0 / D	22.4 / C
13. Lathrop Road/5th Street-Woodfield Drive (Lathrop)	18.4 / B	20.0 / C	16.7 / B	18.6 / B	28.8 / C	32.0 / C	32.7 / C	39.1 / D
14. French Camp Road / Union Road (County)	12.7 / B	10.1 / B	13.8 / B	12.1 / B	17.7 / B	15.2 / B	18.5 / B	16.8 / B



<b>Table 4.11-4 Peak Hour Intersection Levels of Service</b>								
Location (Agency Jurisdiction)	Existing		Existing + Project		Cumulative		Cumulative Plus Project	
	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.
15. Union Way / AAC North Access(Manteca)	N/A	N/A	9.4 / A	9.4 / A	N/A	N/A	9.8 / A	8.8 / A
16. Airport Way / AAC Access(Manteca)	N/A	N/A	12.2 / B	12.1 / B	N/A	N/A	<b>698.0 / F*</b>	23.1 / C
17. Union Road 28 / AAC Main Access– SFR North Access(Manteca)	N/A	N/A	20.8 / C	25.9 / D	N/A	N/A	15.3 / C	15.6 / C
18. Union Road / SFR South Access(Manteca)	N/A	N/A	22.2 / C	28.1 / D	N/A	N/A	14.7 / B	17.0 / C
19. Union Road / CMUR Access(Manteca)	N/A	N/A	14.3 / B	11.7 / B	N/A	N/A	14.3 / B	10.5 / B
20. Union Road / CMU North Access(Manteca)	N/A	N/A	17.1 / C	<b>274.2 / F*</b>	N/A	N/A	18.8 / C	<b>193.3 / F*</b>
21. Union Road/CMU South Access(Manteca)	N/A	N/A	12.9 / B	18.4 / C	N/A	N/A	11.4 / B	12.1 / B
22. Lathrop Road / AAC Access(Manteca)	N/A	N/A	12.3 / B	13.7 / B	N/A	N/A	18.6 / C	12.1 / B
23. Lathrop Road/CMU West Access(Manteca)	N/A	N/A	11.5 / A	<b>116.7 / F*</b>	N/A	N/A	<b>47.7 / E*</b>	<b>325.6 / F</b>
24. Lathrop Road/CMU Center Access(Manteca)	N/A	N/A	11.9 / B	13.4 / B	N/A	N/A	17.4 / C	12.1 / B
25. Lathrop Road / CMU East Access(Manteca)	N/A	N/A	13.0 / B	<b>53.9 / F*</b>	N/A	N/A	<b>42.7 / E*</b>	<b>400.5 / F</b>
<p>Bold denotes unacceptable LOS                      ♦ LOS value calculated after agency traffic mitigation implemented                      N/A - not applicable                      * add traffic signal                      ** add SB left turn lane, SB right turn lane, WB right turn lane                      Source: kd Anderson 2004</p>								

Mitigation Measure 4.11-2a is revised as follows:

#### 4.11-2a: Operation of LOS E at the Lathrop Road/Main Street Intersection Under Existing Conditions and LOS F under Existing Plus Project Conditions.

The project applicant shall pay its fair share of the cost for installation of a traffic signal at the Lathrop Road/Main Street intersection. ~~Because this mitigation measure cannot be implemented until the interchange configurations for Lathrop Road and Main Street are finalized as part of the SR 99 widening to six lanes, the applicant shall coordinate with the City as to timing of implementation of this mitigation measure.~~ Implementation of this measure would improve the operations of this intersection to LOS D. Using Caltrans methodology to determine fair share costs, the URSP project would be responsible for approximately 15.8% of the total cost of this improvement. Because there is a current need for this signal under existing traffic flow conditions, the project applicant shall fully fund the installation of a traffic signal at this intersection and shall coordinate with the City on its installation. Installation of the traffic signal shall be completed before final occupancy of the first housing unit developed as part of Phase 1. Funds for the signal shall be deposited into the City's Public Facilities Improvement Program (PFIP) fund. The project applicant shall also be required to pay appropriate transportation PFIP fees; however, these fees may be reduced or a credit issued to account for funds deposited for the signal that are not the responsibility of the project developer. It is estimated that a refund or credit for 84.2% of the total cost for the traffic signal improvement could occur. Final details on the cost-sharing agreement for the signal improvement will require final approval by the city. The total dollar amount shall be determined in consultation with the appropriate agencies when final project approvals are sought. ~~Payment for improvements will occur as part of the collection of Public Facilities Improvement Program (PFIP) fees at the issuance of building permits.~~

## Appendix H

Page 1, paragraph 1 is hereby revised as follows:

This report documents kDANDERSON Transportation Engineers' assessment of the traffic impacts associated with implementing the Union Ranch Specific Plan. The proposed project will develop approximately 550 acres north of Lathrop Road in the City of Manteca. The project includes 1960 low-density residential units, 273 mixed-use high-density residential housing units and about 385,900 square feet of commercial uses. Figure 1 presents the project location within the City of Manteca (nos. 1-9). Figure 2 presents the location of the project specific intersections. The project is located along a major thoroughfare between I-54 and SR99, and as part of this study four intersections within the City of Lathrop (nos. 10-13) and ~~one two~~ two intersections within San Joaquin County (no. 1 and 14) were also studied. This report is intended to describe the impacts of developing the Specific Plan and to serve as a guideline for implementation of roadway infrastructure needed to support anticipated development over the foreseeable future.

Table 3 is revised as follows:

**TABLE 3  
LAND USE – UNION RANCH SPECIFIC PLAN**

Land Use (Land Use Zone)	Acreage	Trip Generation Parameters	
		Unit	Quantity
Low Density Residential - east of Union Road	128	Dwelling	535
Active Adult Low Density Residential - between Airport Way and Union Road	307	Dwelling	1,425
Commercial (CMU Zone)	25.3*	Square Footage	385,900**
High Density Residential - (CMU Zone)	13.6	Dwelling	273341†

\* 65% of overall CMU zone

\*\* square footage based on 0.35 floor to area ratio (FAR)

† 20 units per acre density

## 4 REPORT PREPARATION

### CITY OF MANTECA

Kyle Kollar..... Director of Community Development  
Benjamin J. Cantu, Jr. .... Advance Planning Manager  
Kathleen Wold ..... Planning Manager

### EDAW

Gary Jakobs, AICP.....Principal-in-Charge  
Amanda Olekszulín.....Project Manager  
Wendy Copeland..... Assistant Project Manager, Environmental Planner  
John Hope ..... Environmental Planner  
Anne King..... Senior Biologist  
Gayiety Hasbrouck..... Document Production  
Amber Martin..... Document Production  
Brian Perry..... Graphics  
Lorrie Jo Williams ..... Graphics

### KDANDERSON TRANSPORTATION CONSULTANTS

Ken Anderson ..... Principal/Owner  
Jonathan Flecker ..... Transportation Engineer

## 5 REFERENCES

Dwyer, Sandy. Administrator of Facilities Planning. Manteca Unified School District. March 21, 2005—telephone communication with Amanda Olekszulín of EDAW.

———. April 15, 2005—letter to Kyle Collar of the City of Manteca.

Govea, Phil. Associate civil engineer. City of Manteca Public Works Department. March 30, 2005—personal communication with A. Olekszulín of EDAW.

San Joaquin Council of Governments. 2005 (February). *San Joaquin County Multi-Species Habitat Conservation and Open Space Plan, 2004 Annual Report*.

King, Holly. Great Valley Center. March 25, 2005—personal communication with A. Olekszulín of EDAW.

**DEPARTMENT OF TRANSPORTATION**

P.O. BOX 2048 STOCKTON, CA 95201  
(1976 E. CHARTER WAY/1976 E. DR. MARTIN  
LUTHER KING JR. BLVD. 95205)  
TTY: California Relay Service (800) 735-2929  
PHONE (209) 941-1921  
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*Flex your power!  
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February 23, 2005

**10-SJ-99**  
**Post Mile 9.3**  
**SCH 2004092016**  
**Union Ranch Specific Plan DEIR**

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

Dear Mr. Cantu:

The California Department of Transportation (Department) appreciates the opportunity to have reviewed the Draft Environmental Impact Report number SCH 2004092016 for the proposed residential and mixed use community near State Route 99 (SR-99) and the SR-99/ Lathrop Road interchange. The Department has the following comments:

Traffic Operations

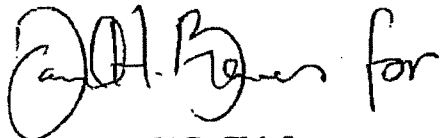
- The *Traffic Study for the Union Ranch Specific Plan EIR*, prepared by KD Anderson Transportation Engineers, dated December 20, 2004 does not include analysis of impacts to State Route 99.
- Appendix H – Traffic Study. Page 8 under “Existing Levels of Service”, second paragraph states “While currently warranted, installation of a traffic signal at the Lathrop Road / Main Street intersection will be completed once the SR-99 / Lathrop Road – Main Street interchange is modified. This project is identified in the 2004 SJCOG RTP Tier 2 Project List and includes widening SR-99 to four lanes with two-lane ramps; tier 2 projects are currently unfunded.”
- Based on item 2 above, if the project is not funded then impacts to SR-99 need to be identified and mitigated.

Mr. Cantu  
February 23, 2005  
Page 2

- The Department no longer uses the signal warrants identified in the "Caltrans Traffic Manual". The traffic study is using Warrant 10 and Warrant 11 to justify the need for signals. Effective May 20, 2004, the Department is using the Manual of Uniform Traffic Control Devices (MUTCD) 2003 and the MUTCD 2003 California Supplement. The traffic study will need to be corrected to show signal warrant analysis per the above guidelines.
- Traffic Operations does not recommend approval of this traffic study until impacts to SR 99 are analyzed and mitigations are identified; and correct signal warrants are used.

If you have any questions or would like to discuss our comments in more detail, please contact Dan Brewer at (209) 948-7142 ([e-mail: dan.brewer@dot.ca.gov](mailto:dan.brewer@dot.ca.gov)) or me at (209) 941-1921.

Sincerely,

Handwritten signature of Tom Dumas in black ink, written in a cursive style.

**TOM DUMAS, Chief  
Office of Intermodal Planning**

c: SMorgan OPR



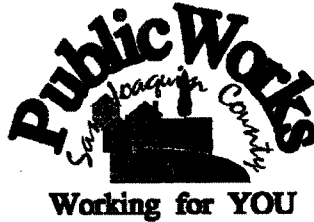
THOMAS R. FLINN  
DIRECTOR

THOMAS M. GAU  
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MANUEL SOLORIO  
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STEVEN WINKLER  
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**DRAFT – HARD COPY TO FOLLOW VIA REGULAR MAIL**

February 25, 2005

City of Manteca  
Community Development Director  
1001 W. Center Street  
Manteca, CA 95337

Attn: Benjamin Cantu, Advanced Planning Manager

SUBJECT: UNION RANCH SPECIFIC PLAN DRAFT EIR

Dear Mr. Cantu:

The San Joaquin County Department of Public Works has reviewed the environmental document for the above referenced project and our concerns, recommendations, corrections are as follows:

The Traffic Engineering Division offers the following general comments.

- Table 3-11, page 3-5: The total number of dwelling units should be 2,301 not 1,960.
- Table 4.11-3, page 4.11-21: Trip Generation for CMU High Density Housing is off by 25%. It should state Daily = 2,292 rather than 1,835 and AM PK inbound = 74 rather than 59. The total PM PK should be 211 rather than 169.
- The remainder of Table 4.11-3 should be adjusted to reflect the above information.
- Please review this new information to determine if there is a significant change in the original analysis.
- Page 4.11-35, Section 4.11-4: Monitoring of roadways during construction should include San Joaquin County affected areas. Repair of degraded pavement within County jurisdiction should be to the satisfaction of the San Joaquin County Department of Public Work (Public Works).
- Page 4.11 – 36, Section 4.11-6: Review of the Construction Management Plan (Plan) should involve Public Works. Reasonable review time should be allowed prior to implementation of the Plan.
- Appendix H, Traffic Study, Introduction: Two intersections within the county, Union Road/Lovelace Road and French Camp Road/Union Road are not listed.



- Appendix H, Traffic Study, Table 3: The High Density Residential (CMU Zone) is supposed to be 341 units rather than 273.

The Transportation Planning Division offers the following comments:

- Three additional intersections other than those identified on page 4.11-6 as having been studied in the traffic report should be analyzed: Route 99/Lathrop Road on and off ramps in both directions (two locations), and the Airport Way/Lovelace Road Intersection.
- Page 4.11 – 33 outlines mitigation for the Lathrop Road/Main Street Intersection that cannot be finalized until the interchange configuration is determined with the Caltrans project to widen Route 99. This project is out beyond the build-out year for URSP (2011) and it may be feasible to construct interim improvements at this intersection.
- Page 4.11-35 lists mitigation that is required at the Airport Way/Yosemite Avenue Intersection that is above what is required in the City of Manteca General Plan. It seems as though dedication of the right of way for needed improvements might be an alternative viable option.

Thank you for the opportunity to be heard. Should you have questions or need additional information regarding the above comments, please contact Wendy Johnson, Environmental Coordinator at (209) 468-3085.

Sincerely,

Wendy Johnson  
Environmental Coordinator

c: Tom Okamoto, Traffic Engineering  
David Mendoza, Transportation Planning

---



**SOUTH  
SAN JOAQUIN  
IRRIGATION DISTRICT**

February 25, 2005

Kyle Kollar  
City of Manteca  
Community Development Dept.  
1001 W. Center Street  
Manteca, CA 95337

Re: Draft Environmental Impact Report for Union Ranch

Dear Mr. Kollar:

The South San Joaquin Irrigation District has completed its review of the above referenced development. The District requests that the following be made conditions of approval to the subdivision map:

1. The South San Joaquin Irrigation District owns, operates, and maintains a drainage facilities known as the FCOC, located approximately 1/4 mile west of the westerly boundary of the property described in the above referenced project. This drain consists of a large open canal that is used for District operations and permitted storm drainage discharges by the City of Manteca and others.

Upon review of the information supplied, there is some cause for concern for the District relative to the proposed project as it relates to potential discharge of drainage into the FCOC. The development may rely heavily upon drainage into the FCOC. Potential concern could be water quality issues that will need to be mitigated.

Additionally, the drainage canal has a limited capacity. This was identified in a recent hydraulic study that emphasized the need to make major improvement to the canal to accommodate any proposed additional inflows. Flows that are currently entering the facility are permitted under an extension of an expired agreement between the City of Manteca and the District. The two agencies are in the process of negotiating a new agreement that would consider including properties such as this that are not covered under the existing agreement and have not been covered under any previous agreements.

In order to enable staff to better evaluate any potential impacts relating to this project, more information relative to water quantity and quality will need to be provided. Further

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the environmental impact report will need to address those concerns and provide specific information concerning mitigation of those concerns. The District will also need to be included as an approving agency for any plans that will involve discharge of drain water into District facilities.

2. All District irrigation and drainage facilities which are determined by the District to be affected by the proposed development, shall be replaced with rubber gasket reinforced concrete pipe and shall be relocated, if necessary, to District approved locations. Further, hydraulic calculations to determine pipe size will be required for any design changes or relocations that are proposed on District facilities. In accordance with District standards, construction on District facilities is not allowed between February 15th and October 15th of any given year. As such, plans for pipeline improvements need to be received no later than mid-July (3 months before the end of water season), so that all construction work can be completed during the provided window period.
  3. All improvements to the District facilities shall comply with the District's current standards, drawings, and policies. The developer shall enter into the necessary agreements, permits, etc., required by the District for construction of District facilities.
  4. District facilities within the development, or impacted by the development, which provide storm water drainage or irrigation spill functions, shall not be abandoned, relocated, or replaced, unless alternate provisions are made to handle such drainage in accordance with District approval.
  5. The property owner and/or developer shall execute Irrigation Service Abandonment Agreements and provide for the removal of irrigation and drainage facilities and structures on property no longer requiring irrigation service. The method of abandonment and extent of such removal shall be determined by District. Private irrigation facilities and easements shall be provided for private use to accommodate property that will still be using District water to irrigate adjacent to the development. The proposed connection of any such private facility to District facilities shall be approved in advance by the District.
  6. Easements for all District facilities shall be dedicated on current District forms. Additional easements shall be dedicated for access to all manholes and control structures. All District easements shall be shown on the final map together with the District's standard acknowledgment. Easements for pipelines shall be a minimum of 30 ft. in width. Canal width easement will vary depending upon area needed to maintain and operate canal effectively. Necessary canal easement and canal improvements will be evaluated when plans are made available for review.
  7. Improvement plans for both off-site and on-site improvements shall be submitted for review and approval by the District's Board of Directors. Prior to plan submittal, the developer shall submit a retainer for plan check and inspections required for the project in accordance with the current established fee schedule.
-

8. Upon completion of the project, the developer shall provide one complete set of "As-Built" drawings to the District for its future use.

If there are further questions please feel free to contact me at (209) 249-4617.

Sincerely,

A handwritten signature in black ink that reads "Sam Bologna". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Sam Bologna  
Engineering Department Supervisor

# MUSD

MANTECA UNIFIED SCHOOL DISTRICT

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*Sandy Dwyer, Administrator of Facilities Planning*

February 17, 2005

Mr. Kyle Kollar, Community Development Director  
City of Manteca  
1001 W. Center Street  
Manteca, California 95337

Subject: Comments from Manteca Unified on the Draft Environmental Impact Report for  
The Union Ranch Specific Plan Project

Dear Mr. Kollar:

Manteca Unified is in receipt and has reviewed the Draft Environmental Impact Report for the Union Ranch Specific Plan Project.

Comments are as follows:

The number of elementary schools has increased to eighteen and the high school count has increased to four.

Relative to the current status of student housing, the School District is currently overcrowded and will require an additional K-8 school in the Union Ranch area. Discussions are in process with developers for a potential school site. However, until a school can be built students will have to be bussed to the nearest school sites with adequate capacity.

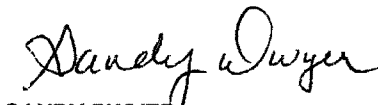
For your information there has been an increase of level two developer fees from \$3.90 to \$4.53 per square foot for residential development, and from \$0.34 to \$0.36 per square foot for commercial development in the district boundaries. Manteca Unified is currently reviewing the needs analysis of the District and at completion of this study may result in an increase of developer fees.

The residential growth in the Union Ranch area will definitely impact the schools within Manteca Unified until a school can be built.

Should you require information or have questions, I can be contacted at (209) 825-3200, extension 758.

Sincerely,

**MANTECA UNIFIED SCHOOL DISTRICT**



**SANDY DWYER**  
Administrator of Facilities Planning

---



*Planning Division*

16775 Howland Road- Lathrop, CA 95330  
Phone (209) 858-2860 Ext. 327 - Fax (209) 858-5259  
[www.ci.lathrop.ca.us](http://www.ci.lathrop.ca.us)

February 24, 2005

Kyle Kollar  
Community Development Director  
City of Manteca  
1001 W. Center Street  
Manteca, CA 95337

Subject: Draft Environmental Impact Report (DEIR) for the Union Ranch Specific Plan

Dear Mr. Kollar:

This letter is in response to the recent DEIR on the Union Ranch project that was forwarded to the City of Lathrop. Thank you for the opportunity to review and comment.

As you are undoubtedly aware, the City of Lathrop and the City of Manteca recently agreed to prepare a joint Traffic Study to identify impacts and develop appropriate mitigation measures. The City of Lathrop believes this Traffic Study, to which the Union Ranch project is subject, should address and mitigate our concerns. Nevertheless, and to make sure the Traffic Study includes the necessary information on the Union Ranch project, the City of Lathrop notes the following:

Traffic and Circulation

1. The DEIR states that the I-5/Roth Road and the I-5/Louise Avenue interchanges may provide site access from the north and south. The traffic section in the EIR did not study these interchanges. By participating in the Traffic Study described above these impacts shall be quantified and mitigated.
  2. The DEIR lists the intersection of Lathrop Road/McKinley Avenue as a City of Manteca intersection. This intersection is in the City of Lathrop.
  3. Increases in traffic will occur on Lathrop Road between I-5 and the project site. The City of Lathrop believes traffic volumes from this project will precipitate the need for widening of this road and the future railroad grade separators. By participating in the Traffic Study described above these impacts shall be quantified and mitigated.
-

4. The DEIR states that the project will contribute 2.2% of a signal cost at Interstate-5 and Lathrop Road. This figure appears to be calculated as a percentage of trips the project generates in comparison to the total vehicles at build-out. Since the analysis relies on build-out conditions, the mitigation shall be a fair share contribution toward the interchange improvements.
5. The DEIR references the regional fee, as a potential source of funds for regional projects. However, this fee has not been adopted by the City of Manteca and therefore can not be utilized as there are no requirements and therefore can not be utilized as mitigation toward impacts this project may have on regional roads located in the City of Lathrop and elsewhere.

The only two regional traffic improvements identified are the signal, described in paragraph 4, above, and a contribution towards the signal at Lathrop Road/McKinley Avenue. These two measures alone do not appear to be sufficient to address the impacts of this development because they focus solely on the intersections without referencing any pavement or roadway width improvements to handle the additional traffic identified as passing through the intersections. A key component of the improvements on Lathrop/McKinley is a grade separator. However, by participating in the Traffic Study described above these impacts shall be quantified and mitigated.

6. Appendix G Traffic Reports

- a. The report indicates that 13% of the traffic from the project will travel north via Airport Way then travel west on Roth Road to Interstate -5. The impacts to Roth Road and the Interstate-5/Roth Road interchange were not analyzed in this report nor were any mitigations discussed. By participating in the Traffic Study described above these impacts shall be quantified and mitigated.
  - b. The reports states that Manteca used the Traffic numbers from the Central Lathrop Specific Plan (CLSP), for the "future/no project scenario" at the intersections in Lathrop. The numbers at these intersections do not agree with the CLSP numbers.
7. Traffic from the project will also utilize Lathrop Road and Louise Avenue to access Interstate-5. The actual traffic generated would result in a significant adverse impact to both the easterly and westerly direction of Louise Avenue and Lathrop Road in the City of Lathrop. Traffic generated by this project would also result in significant impacts to the Louise Avenue/Interstate-5 and Lathrop Road/Interstate-5 on and off ramps. In addition the DEIR states that the Roth Road/Interstate-5 interchange could also be impacted, yet it is not studied nor is Louise Avenue/Interstate-5 interchange studied. These impacts need to be addressed in the DEIR and appropriate fair share funding mitigation measures should be required.
-

Kyle Kollar  
February 24, 2005  
Page 3

As set forth above, all of the comments made will be mitigated by this project's participation in the agreed-upon joint traffic study and implementation of the mitigation measures identified as part of that study. A mitigation measure to that effect included in the Union Ranch project FEIR will resolve the City of Lathrop's concerns as herein referenced.

Please provide me with a copy of the Final Environmental Impact Report for this project when available. In addition, please provide me with the dates of any future actions by the Planning Commission and City Council regarding the above referenced project. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Bruce Coleman / By JAH".

Bruce Coleman,  
Community Development Director

cc: Pam Carder, City Manager  
Susan Burns Cochran, City Attorney  
Deanna Walsh, Principal Planner

---





**MOTHER LODGE CHAPTER**  
1414 K STREET, SUITE 500  
SACRAMENTO, CA 95814  
TEL. (916) 557-1100 x 108  
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coordinator@sierraclub-sac.org  
www.motherlodge.sierraclub.org

Kyle Kolar, Director  
City of Manteca Community Development Dept.  
1001 W. Center Street  
Manteca, CA 95337

25 February 2005

RE: Union Ranch Specific Plan DEIR

Mr. Kollar:

The Mother Lode Chapter of the Sierra Club submits the following comments on the Draft Environmental Impact Report (DEIR) for the Union Ranch Specific Plan.

In general, we are most concerned that this DEIR fails to adequately assess and mitigate loss of important agricultural lands, in violation of a recent legal settlement with the City. In addition, the issues of regional transportation impacts, wastewater treatment capacity, air quality, and biological resources have been inadequately analyzed and mitigated. The alternatives analyzed in the DEIR are also inadequate in complying with the California Environmental Quality Act (CEQA).

No Mitigation Fee for Farmland Loss in Violation of Legal Agreement

The settlement by the Sierra Club of the South San Joaquin Irrigation District (SSJID) lawsuit requires the City of Manteca (as well as the cities of Lathrop and Tracy) to adopt an agricultural mitigation fee by March, 2005 and to collect at least \$2,000 per acre fee from developments that convert prime agricultural lands using SSJID water. The City of Manteca (and the other two cities) have failed to even begin work on adoption of a such a fee program to date. We advised the cities of our displeasure with the lack of progress in our letter of January 10, 2005. A hearing in the Third District Court of Appeals has been set for mid-March, at which time the court will ask about the progress of the settlement agreement, and the Sierra Club will decide whether to dismiss or re-instate our appeal of the SSJID lawsuit.

Please be advised that if the City of Manteca fails to assess an agricultural mitigation fee on this project and approves it without a fee, in violation of the settlement, the Sierra Club will challenge this DEIR and project in court.

#### DEIR Mitigation for Ag Loss is Inadequate

The DEIR notes that the project would cause the loss of 241 acres of Prime Farmland and 289 acres of Farmlands of Statewide Importance (together, the entire site of 530 acres is subject to the fee established by the settlement agreement). The DEIR mitigation for the loss of over 500 acres of farmland is only to require the developer to pay the standard fee to the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (which the developer is already required to do in order to mitigate for biological impacts). Mitigation measure 4.13-1 states that "The SJCOG will use these funds to purchase conservation easements on agricultural and habitat lands in the project vicinity... The preservation in perpetuity of agricultural lands through the SJMSCP, a portion of which would consist of Important Farmland, would ensure the continued protection of farmland in the project vicinity, partially offsetting project impacts."

However, the SJCOG has a very poor record in acquiring habitat or ag easements and there is no guarantee that prime farmland easements in the Manteca area would be acquired with the fee that is paid by this developer. The Final EIR should be amended to clarify this. The FEIR should also be amended to discuss the mitigation fee requirements of the SSJID settlement, and to require a fee separate from the SJMSCP fee to be paid by the project.

The DEIR fails to identify and discuss the recently formed Central Valley Farmland Trust. The trust is now operational in four counties and is charged to purchase conservation easements of farmland according to adopted strategic plans in each county. The Final EIR should be amended to reflect this. The trust will receive ag mitigation fee payments over time from several projects in San Joaquin County, including the River Islands and Central Lathrop projects, and other projects using SSJID water in three cities, totaling approximately \$25 million. Please contact the new executive director of the trust, or Don Bo of Lodi (the chair of the trust board of directors), or Holly King at the Great Valley Center in Modesto, for further details.

#### Impacts to Adjacent Ag Land Are Not Mitigated

The DEIR states erroneously that "project developers have incorporated ... greenbelts and open spaces that provide separation between adjacent land uses" (page 4.1-18) as a justification for why additional mitigation is not required to buffer adjacent ag lands. Yet, the lotting pattern for the project (see Exhibit 3-7-URPS Phasing Diagram) clearly indicates that no such greenbelts or buffers are planned for almost all of the edges of the project that adjoin adjacent ag lands.

Please explain this discrepancy and correct the erroneous text.

The project design plan should be reconfigured to propose specific buffer areas on all sides of the project that border working ag lands.

### Regional Transportation Impacts

The DEIR fails to include adequate mitigation for impacts to regional transportation facilities, such as interchanges along I-5 and SR 99. According to the DEIR, the project would contribute traffic to the Lathrop Road/I-5 interchange, which is currently operating at unacceptable conditions (page 4.11-26).

The DEIR also notes that the City of Lathrop collects fees for regional transportation improvements and "many cities have elected not to participate in this program" including the City of Manteca. The FEIR should explain why Manteca does not collect regional fees.

The mitigation measure for this impact admits that the project's financial contribution to a traffic light at this interchange intersection "would be subject to the control of the City of Lathrop, and it is unknown whether this mitigation would be implemented by the time the URSP builds out" (page 4.11-33).

The FEIR should be amended to discuss the specific issues for further transportation studies and improvements that have been negotiated between Manteca and Lathrop as part of the settlement over the Big League Dreams sports park lawsuit. The FEIR should also include a mitigation measure that proposes that this project pay a regional traffic impact fee similar to the fee established by the City of Lathrop and should negotiate with Lathrop to ensure that the Lathrop Road/I-5 intersection traffic light is constructed prior to this project's buildout.

### Wastewater Treatment Capacity

The City of Manteca has a serious lack of wastewater treatment capacity which may or may not be rectified in the short term, depending on new regulatory permits issued by the Central Valley Regional Water Quality Control Board (RWQCB). The DEIR analysis and the lack of a recommended mitigation measure for the increased demand for permanent wastewater treatment and conveyance facilities (page 4.10-17 and -18) are inadequate.

The DEIR states that "Wastewater flows would initially be less than 0.91 mgd, and it is expected that the WQCF expansion would be completed and capable of treating wastewater flows before project buildout. Wastewater generated by the URSP project could be accommodated by the this treatment plant and would not result in exceedance of the plant's permitted design capacity."

This bald statement is not supported by any evidence offered in the DEIR, such as referenced interviews with key City and RWQCB staff, or technical reports. The DEIR fails entirely to provide information about the complicated water quality issues that must be resolved before the city will receive a new waste discharge permit from the RWQCB, which in turn would allow additional capacity to be constructed at the plant which could serve this and other projects. In fact, recent news reports in a local newspaper indicate that the City of Manteca's plant may be subject to large fines by the RWQCB for allowing discharges of illegal concentrations of chemical and bacteria into the San Joaquin River ("Manteca broke laws," San Joaquin Record, January 17, 2005, page B-1)

The FEIR should be amended to include this information and to include a mitigation measure that would require verification of adequate capacity at the City plant, before any phase of the project could be approved and constructed

### Air Quality

Air quality has become the most important environmental obstacle facing new growth in the Central Valley. This DEIR, as most do, glosses over potential measures that could alleviate this significant impact, and instead takes the easy way out by proclaiming the impact to be "significant and unavoidable." However, CEQA requires a lead agency to enact all feasible measures that could reduce a significant impact, even if the impact remains unavoidable.

The mitigation measure addressing long term air quality emissions (Impact 4.3-5) states that the "the City shall require all feasible emission control measures be incorporated into project design and operation," yet makes no effort to consider measures beyond the standard "one size fits all" measures recommended in the outdated 1998 SJVAPCD Guide. The analysis fails to consider specific measures such as requiring no- or low- polluting vehicles for residents traveling within the age segregated community (golf cart type machines), or other measures such a mandating developer sponsored daily mini-vans or buses that would transport residents to downtown Manteca or Stockton, or other shopping or cultural locations popular for local residents.

### Biological Resources

The DEIR analysis of biological issues is inadequate and should be amended to include additional mitigation. For example, the DEIR fails to disclose the location of the nearest Swainson's hawk nest sites to the project. The DEIR only notes that "there are no CNDDDB records of active nest sites on the project site" and "suitable nesting trees occur on and immediately adjacent to the project site" (page 4.5-17). The FEIR should include a map an description of the nearest documented nesting sites related to the project site.

The FEIR should also discuss the mitigation requirement guidelines adopted by the California Department of Fish and Game (CDFG) for the Swainson's hawk. These guidelines indicate that if a nest site is located within two miles of a project and the project site contains foraging habitat (such as alfalfa and corn fields, which the project site includes), then every acre developed should be mitigated by conserving 0.75 acre of foraging lands through conservation easement or other method.

Mitigation Measure 4.5-3 is inadequate and fails to require consultation with the CDFG. The measure only requires payment of a fee to the SJCOG, and does not ensure that adequate mitigation (conservation of foraging habitat in the Manteca area) will occur for this project.

The SJCOG through the SJMSCP has failed since its inception to acquire significant mitigation lands for Swainson's hawk and other protected species, and will be subject to imminent legal challenge for failure to use the fees that have been collected to date. The FEIR should discuss how many conservation easements have actually been purchased by the SJCOG, and whether

any of the easements have resulted in conservation of lands for Swainson's hawk foraging habitat.

Range of Alternatives is Inadequate

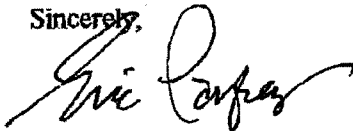
The DEIR range of alternatives studied in the DEIR is inadequate. The analysis of the "Mitigated Design Alternative" contains no meaningful attempt to identify a different configuration of land uses or mitigation measures that would reduce a full range of impacts, compared to the proposed project.

Instead, the "Mitigated Design Alternative" focuses on only one issue, air quality, and proposes an unrealistic new project of 460 units east of Union Road (only 20 percent of the proposed project) in order to come in under the SJVAPCD threshold of "significant" air emissions. This unrealistic alternative can then be easily dismissed since it is "economically infeasible" and "unable to provide certain amenities essential to this type of project" (page 7-7).

This alternatives analysis is very cursory and not consistent with recent case law that requires much more thoughtful and "good faith" efforts to propose and analyze meaningful alternatives to a project. For example, the project design could be reconfigured to include buffers along the interface with adjacent agricultural lands, to include more mitigation for Swainson's hawk impacts, and to include more alternative forms of internal transportation and provide more van and transit links to downtown Manteca and other locations for residents.

If there are any questions regarding these comments, you may contact me at [eparfrey@webintellects.net](mailto:eparfrey@webintellects.net), or 209/462-7079. Please send a copy of the entire Final EIR (not just responses to our comments) and all notices of public hearings to me at 1421 W. Willow Street, Stockton, 95203. Please do not send the Final EIR to the Mother Lode Chapter office of the Sierra Club in Sacramento at the address indicated on the letterhead.

Sincerely,



Eric Parfrey, Chair  
Sierra Club, Mother Lode Chapter

cc: Don Mooney  
Cities of Tracy and Lathrop  
SSJD Board of Directors