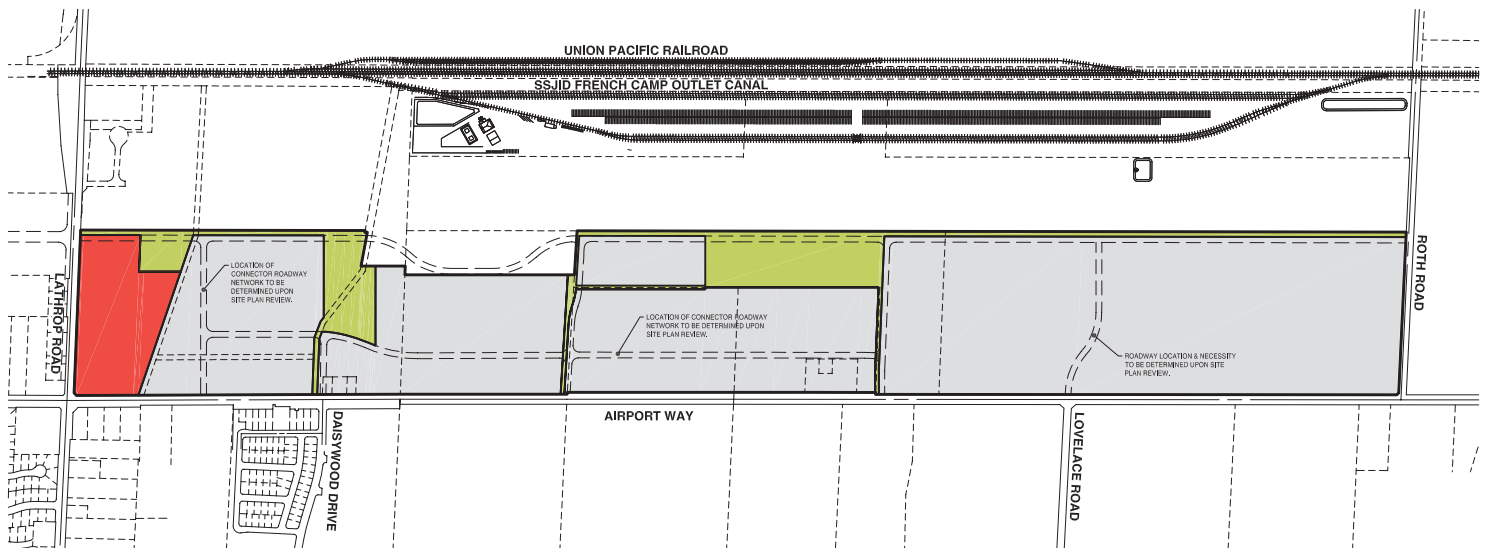




# NORTHWEST AIRPORT WAY MASTER PLAN

## FINAL ENVIRONMENTAL IMPACT REPORT

SCH No.: 2010022024



October 7, 2010





**FINAL**  
**Environmental Impact Report**  
**Northwest Airport Way Master Plan**  
**City of Manteca, San Joaquin County, California**

**State Clearinghouse No. 2010022024**

Prepared for:



**City of Manteca**  
Community Development Department  
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October 7, 2010



**TABLE OF CONTENTS**

**Section 1: Introduction .....1-1**

**Section 2: Master Responses .....2-1**

    2.1 - Introduction.....2-1

    2.2 - Master Responses .....2-1

**Section 3: Responses to Written Comments .....3-1**

    3.1 - List of Authors .....3-1

    3.2 - Responses to Comments .....3-1

**Section 4: Responses to Planning Commission Meeting Comments on the  
    Draft EIR .....4-1**

    4.1 - Introduction.....4-1

    4.2 - List of Speakers.....4-1

    4.3 - Planning Commission Meeting Minutes .....4-1

    4.4 - Responses to Planning Commission Meeting Comments .....4-7

**Section 5: Errata.....5-1**

**LIST OF TABLES**

Table 2-1: Directionality of Peak Hour Trips – Lathrop Intermodal Terminal Driveway .....2-2

Table 3-1: 95<sup>th</sup> Percentile Queue Length By Scenario .....3-9

Table 3-2: Roth Road Grade Crossing Incident Summary.....3-14



## SECTION 1: INTRODUCTION

In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15088, the City of Manteca, as the lead agency, evaluated the comments received on the Northwest Airport Way Master Plan Draft Environmental Impact Report (Draft EIR) (State Clearinghouse No. 2010022024) and has prepared the following responses to comments.

This document is organized into these sections:

- **Section 1** – Introduction.
- **Section 2** – Master Responses: Provides comprehensive responses to similar comments made by multiple authors.
- **Section 3** – Responses to Written Comments on the Draft EIR: Provides a list of the agencies and individuals who commented on the Draft EIR. Copies of all of the letters received regarding the Draft EIR and responses thereto are included in this section.
- **Section 4** – Responses to Planning Commission Meeting Comments on the Draft EIR: Provides the meeting minutes of the August 24, 2010 Manteca Planning Commission meeting and summaries of oral testimony regarding the Draft EIR. Responses to oral comments are provided.
- **Section 5** – Errata: Includes an addendum listing refinements and clarifications on the Draft EIR, which have been incorporated.

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

The Final EIR includes the following contents:

- Draft EIR (provided under separate cover)
- Draft EIR appendices (provided under separate cover)
- Responses to Comments on the Draft EIR and Errata (Sections 3, 4, and 5 of this document)
- Mitigation Monitoring and Reporting Program (provided under separate cover)





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## SECTION 2: MASTER RESPONSES

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### 2.1 - Introduction

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Master responses address similar comments made by multiple persons through written comments submitted to the City of Manteca. Master responses are provided in the order in which they are referenced in the responses in Section 3, Responses to Comments.

Below is a list of the master responses.

- Master Response 1 – Trip Generation
- Master Response 2 – Trip Distribution
- Master Response 3 – Land Use Activities on Annexed Properties

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### 2.2 - Master Responses

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#### Master Response 1 – Trip Generation

Several agencies and individuals<sup>1</sup> requested further information about the trip generation assumptions for the CenterPoint Intermodal Facility contained in the Draft EIR's traffic analysis.

Pages 3.12-21 through 3.12-25 describe the methodology used to estimate the project's trip generation. Given its unique operation and expected interaction with the Lathrop Intermodal Facility, it was necessary to use actual counts and operating characteristics from a similar facility to establish the project's trip generation. The use of this empirical data is consistent with Chapter 4 of the Trip Generation Handbook (ITE, June 2004), which recommends that analysts collect local data and develop a trip rate for land use types not covered by Trip Generation. Given the relative scarcity of intermodal logistic facilities, a facility in Elwood, Illinois was selected (a relatively local facility with available counts was not available).

The reasonableness of the CenterPoint trip generation estimate was confirmed by using ITE Trip Generation rates based on the expected mix of industrial uses onsite. Use of the ITE rates yielded a trip generation estimate that was within 2 percent of the estimate derived from the Elwood data. The methodologies used to estimate the project's trip generation were reviewed and approved by City of Manteca staff. Additional information regarding how trip generation estimates, heavy vehicle percentages, and internal trip capture assumptions were calculated can be found in Responses to SHOTTS-14, -16, -17, and -18.

One author (City of Lathrop) questioned whether different train schedules (between the Lathrop Intermodal Terminal and Elwood, Illinois) would affect the truck arrival/departure patterns. It was not possible to assess this factor, as Union Pacific does not publicly release freight train schedule

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<sup>1</sup> Caltrans, City of Lathrop, and Barry Shotts.

information. Regardless, because both intermodal terminals operate 24 hours a day, every day of the year, it would not be anticipated that differences in train schedules would materially affect the trip generation calculations or study outcomes.

**Master Response 2 – Trip Distribution**

Several agencies and individuals<sup>2</sup> commented on the trip distribution assumptions contained in the Draft EIR’s traffic analysis. Several comments concerned the trip percentages shown for Roth Road and Lathrop Road. One comment letter (Lingenfelter) stated that routing trips bound for I-5 via Roth Road and trips bound to State Route 99 (SR-99) via French Camp Road may lessen project-related traffic impacts.

**Basis for Draft EIR’s Trip Distribution Assumptions**

Exhibit 3.12-3 displays the expected distribution of CenterPoint trips under existing conditions. This exhibit shows that approximately 53 percent of trips would be distributed to/from the west toward I-5. This distribution pattern is based on several factors, including observed turning movements at the Lathrop Intermodal Terminal driveway on Roth Road, the proportion of CenterPoint trips that are trucks versus passenger vehicles, output from the City of Manteca travel demand model, regional population distribution, and location of CenterPoint driveway accesses.

CenterPoint will have a different distribution of trips when compared with observations from the Lathrop Intermodal Facility driveway, given their differences in heavy vehicle percentages. Table 2-1 shows that 92 percent of peak period trips generated by the Lathrop Intermodal Facility are trucks.

**Table 2-1: Directionality of Peak Hour Trips – Lathrop Intermodal Terminal Driveway**

Vehicle Type	Trips (Percent)	
	Roth Road - West	Roth Road - East
Passenger Vehicles	21 (52%)	19 (48%)
Trucks	386 (82%)	85 (18%)
Total	407 (80%)	104 (20%)
Notes: Data is based on observations of turn movements at the Union Pacific Lathrop Intermodal Terminal driveway on May 27, 2009 during the AM (7–9 a.m.) and PM (4–6 p.m.) peak hours. Source: Fehr & Peers, 2010.		

The expected heavy vehicle percentages for CenterPoint (42 percent during the AM peak hour, and 29 percent during the PM peak hour) are reasonable, if not conservative (refer to Response to SHOTTS-17 in Section 3, Responses to Written Comments for further discussion). While 82 percent of Lathrop Intermodal Terminal trucks are distributed to/from the west toward I-5, trips generated by

<sup>2</sup> Caltrans, City of Lathrop, Allen and Beatrice Lingenfelter, and Barry Shotts.

passenger vehicles (i.e., employees) are evenly distributed to the east and west. Furthermore, it is likely that truck routes will differ between the Lathrop Intermodal Facility and CenterPoint, due to different onsite users, customer locations, and other considerations. SR-99 is less than a 4-mile drive from the project site and is a major goods movement corridor connecting cities throughout the Central California Valley.

The location of potential employees will influence the expected distribution of project trips, particularly since the majority of peak-hour trips will not be heavy vehicles. A review of population centers in the region suggests the majority of the population within a 20- to 30-minute drive is oriented to/from the east (the cities of Manteca, Ripon, and Modesto). CenterPoint employees that reside in Tracy would use I-5, while employees from Stockton and Lodi may use either surface streets, SR-99, or I-5. The following exercise provides one final confirmation of the reasonableness of the trip distribution percentages in Exhibit 3.12-3. As stated on page 2-48 of the Draft EIR, CenterPoint will employ approximately 900 persons. This level of employment was entered into the traffic analysis zone representing the project site in the San Joaquin Council of Governments (SJCOG) travel demand model, and a project-only traffic assignment was conducted. The results showed that 36 percent of these trips were distributed to/from the west on Roth Road or Lathrop Road. An average of 35 percent of external CenterPoint AM and PM peak-hour trips are trucks, according to Table 3.12-10. If 80 percent of these trucks were assumed to be destined to/from the west (based on the Lathrop Intermodal Terminal observations) and 36 percent of non-trucks were assumed to be destined to/from the west (based on the SJCOG model output), the weighted average trip distribution percentage to/from the west would be 51 percent ( $[65\% \times 36\%] + [35\% \times 80\%]$ ). This percentage is less than the expected 53 percent of trips distributed to/from the west toward I-5 assumed in the Draft EIR.

The relative utilization of Roth Road versus Lathrop Road to travel to/from the west was carefully analyzed from travel time comparisons (given expected travel to/from the north and south on I-5) and CenterPoint access provisions. Exhibit 3.12-3 shows that about two of every three trips traveling to/from the west would be made on Roth Road. This is in recognition of its closer distance to I-5, relative lack of travel impedances, and the primary CenterPoint truck access driveway. However, it is worth noting that CenterPoint land uses extend a considerable distance southerly on Airport Way and the vast majority of accesses are provided along this frontage. Therefore, it will be quicker for some trucks to access I-5 via Lathrop Road.

This data provides substantial evidence in support of the reasonableness of the trip distribution assumptions used in the Draft EIR.

### ***Alternative Routes***

The Lingenfelter authors indicated that routing trips on either Roth Road from I-5 or French Camp Road from SR-99 would lessen impacts.

As previously discussed, Roth Road would be expected to be the primary route to and from I-5 for project-related trips.

For trips to or from SR-99, both French Camp Road and Lathrop Road are anticipated to be used. Of the two routes, Lathrop Road would be used by a higher percentage of trips, because it would provide the shortest and most direct route to and from SR-99 and, therefore, would represent the most logical routing option for project-related trips.

Regarding the authors' statement that routing trips on French Camp Road from SR-99 would lessen impacts, this is not necessarily correct. For most project-related trips, using French Camp Road to access SR-99 requires a more circuitous route than Lathrop Road, which would increase trip length on local roadways. This could result in a greater number intersections being significantly impacted by project-related trips than if trucks followed the shorter route to SR-99 via Lathrop Road. Furthermore, for heavy trucks, it is generally considered preferable to minimize trip length on local roadways for safety, convenience, and roadway maintenance reasons.

Additionally, Lathrop Road is designated as an arterial roadway by the City of Manteca General Plan. As shown in Table 3.12-1, the segment of Lathrop Road east of Airport Way serves an estimated 10,500 average daily trips, of which 630 consist of heavy vehicles. This indicates that Lathrop Road is a well-traveled roadway that is suitable for use by trucks.

Finally, as discussed in Impact TRANS-2, all impacts to the intersections of Lathrop Road/Airport Way and Lathrop Road/Union Road can be fully mitigated with improvements that are identified in the City of Manteca's Public Facilities Implementation Plan (PFIP). The applicant is required to pay PFIP fees at the time building permits are sought and, therefore, will provide a source of funding for the necessary improvements. Because all impacts to these Lathrop Road intersections can be fully mitigated, there is no legal basis for exploring additional mitigation measures such as alternative routing for project trips.

### **Master Response 3 – Land Use Activities on Annexed Properties**

Several individuals<sup>3</sup> inquired about what types of existing land use activities would be allowed to continue if rural residential properties are annexed into the City of Manteca. Land use activities mentioned included raising of farm animals and future improvements to properties (e.g., a new garage). In addition, one individual (Clinton Lamar) inquired about whether individual property owners would be able to have their properties zoned to their preferred designation.

All current land use activities that are allowed under the County's Zoning Ordinance would be allowed to continue after annexation as "legal, non-conforming" uses. Certain types of agricultural activities such as the raising of farm animals would likely fall into this category. Note that the City has not initiated the process for identifying legal, non-conforming uses; therefore, it would be

<sup>3</sup> Norman Hauser, Patricia Lamar, and Clinton Lamar.

premature to comment further about what land use activities would be allowed to continue following annexation.

Regarding future land use designations, the Draft EIR assumed that all non-master plan annexation area properties would maintain their current, proposed General Plan designation and would be pre-zoned a corresponding zoning designation. For example, the General Plan designates all properties within the South Area as “Light Industrial”; therefore, it would be anticipated that these properties will be pre-zoned with an industrial zoning designation (e.g., Light Industrial). This approach maintains consistency with the General Plan and avoids “patchwork” land use designations that may be incompatible with each other (e.g., residential abutting industrial).

As for the question concerning whether property owners will be able to have their properties zoned to their preferred designation, such requests can be made in writing or at the public hearings concerning annexation.



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## SECTION 3: RESPONSES TO WRITTEN COMMENTS

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### 3.1 - List of Authors

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

<b>Author</b>	<b>Author Code</b>
---------------	--------------------

#### State Agencies

California Department of Transportation .....	CALTRANS
California Public Utilities Commission.....	CPUC

#### Local Agencies

San Joaquin County Environmental Health Department.....	EHD
City of Lathrop .....	LATHROP

#### Individuals

Georgiana Reichelt .....	REICHEL
Beatrice and Allen Lingenfelter .....	LINGENFELTER
Benjamin Cantu .....	CANTU
Barry Shotts.....	SHOTTS

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### 3.2 - Responses to Comments

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#### 3.2.1 - Introduction

In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15088, the City of Manteca, as the lead agency, evaluated the comments received on the Draft EIR (State Clearinghouse No. 2010022024) for the Northwest Airport Way Master Plan, and has prepared the following responses to the comments received. This Response to Written Comments document becomes part of the Final EIR for the project in accordance with CEQA Guidelines Section 15132.

#### 3.2.2 - Comment Letters and Responses

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





Sep. 15. 2010 1:53PM

No. 0071 P. 2

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

ARNOLD SCHWARZENEGGER, Governor

**DEPARTMENT OF TRANSPORTATION**

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



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September 15, 2010

**10-SJ-5-PM 17.5  
SCH# 2010022024  
Northwest Airport Way  
Master Plan**

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

CALTRANS  
Page 1 of 3

Dear Ms Henson:

Thank you for your letter to the California Department of Transportation (Department), District 10 Planning, requesting us to review the Draft Environmental Impact Report (DEIR) for the proposed Northwest Airport Way Master Plan. The project consists of two components: 1) the Northwest Airport Way Master Plan which seeks to develop approximately 4.7 million square feet of light industrial and commercial uses on approximately 300 acres. The entire Master Plan would be annexed into the City of Manteca. The Centerpoint Intermodal Facility, a 3.2 million square foot integrated logistics center, would be the primary land use within the Master Plan area. 2) The non-master plan annexations consist of annexing two areas (totaling approximately 221 acres) adjacent to the Master Plan area. The annexations are intended to prevent the creation of "unincorporated islands" within the city limits as a result of the Master Plan implementation. Both components require a General Plan Amendment and pre-zoning approvals. The Department has the following comments:

CALTRANS-1

Forecasting:

1. Please provide the travel demand model for review, use the most current Institute of Transportation Engineers (ITE) Trip Generation to develop the trip generation for the Centerpoint Intermodal Center (CIC), Manteca and master plan.
2. Please justify your analysis for truck trips percentage on page 28.

CALTRANS-2

CALTRANS-3

Sep. 15. 2010 1:53PM

No. 0071 P. 3

CALTRANS  
Page 2 of 3

Ms Henson  
September 15, 2010  
Page 2

Traffic Operations:

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |            |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1. Tables 3 & 4 indicate that the traffic count was only taken for two days (May 27-28, 2009). When comparing this project's intersection traffic volumes to other projects in the area, such as the Pilot Travel Center, Silva Trucking, and the Gordon Trucking Facility, it appears that this project's traffic volume is lower at the Roth Road/I-5 interchange intersections under existing condition. Please verify your existing/future traffic volume with Caltrans Traffic Forecasting Branch.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | CALTRANS-4 |
| 2. The following interchanges need to be analyzed as part of the TIS study area:<br>Louise Avenue/I-5<br>Airport Way/SR-120                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | CALTRANS-5 |
| 3. The existing interchange Lathrop Road/I-5 off/on ramp does not meet Surface Transportation Assistance Act (STAA) turning radius requirements at this time. Figure 5, Centerpoint-only Peak Hour Trips, indicates this facility traffic utilizes this interchange. Therefore, this project must mitigate STAA turn radius improvements at on/off ramps and intersections.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | CALTRANS-6 |
| 4. Due to the increasing level of development in this area utilizing the Roth Road/I-5 interchange, the TIS needs to include other (pending and approved projects) such as the Silva Trucking facility, Holt of California, Gordon Trucking, KSC Travel Center, Pilot Travel Center, and other pending and approved projects in the area. In addition to the intersection Level of Service (LOS)/delay analysis the TIS needs to analyze the geometric requirements such as ramp merge, diverge, turn-radius, and queue storage at the ramps and intersections in these scenarios that will be used for access by the project's generated truck traffic.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | CALTRANS-7 |
| 5. The TIS is missing the queuing and blocking analyses. These analyses are very important in order to verify which locations turn lanes need improvement as traffic volume is increase under (E+P Condition) and future conditions. For example, the project report indicates under (E+CIC Project Condition) there are no traffic impact mitigations at Roth Road/I-5 interchange but minor improvement of the signal at I-5 Ramps/Lathrop Road intersection. Traffic Operations cannot concur with the proposed mitigation in this scenario until we see the analysis for (E + Approved Projects) and (E + Approved Projects + proposed Project). Queuing and blocking analysis needs to be performed in these scenarios to verify the proper storage for (queue length + deceleration length) at the off ramps and intersections approaches turn lanes to make sure the turn lanes are not blocking adjacent lane traffic. Therefore, please provide Tables to show (intersection/movements locations, available storage, 95 <sup>th</sup> Percent Queue in AM/PM peak hour) in the report and output results in the appendices for E+P and all future conditions for all interchange intersections. | CALTRANS-8 |
| 6. Since the project generates significant trucks in/out of the facility you are required to apply for Terminal Access for all interchanges in the study area per website                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | CALTRANS-9 |

Sep. 15. 2010 1:53PM

No. 0071 P. 4

Ms Henson  
September 15, 2010  
Page 3

CALTRANS  
Page 3 of 3

<http://www.dot.ca.gov/hq/traffops/trucks/routes/ta-process.htm>

- 7. Under notice of preparation of the draft EIR it indicates that this project is to be built in two phases. This TIS does not indicate these two phases. If the project will be built in phases please show this analysis in the TIS.
- 8. At this time the Department does not concur with the proposed submittal until all the above mentioned comments are fully addressed and the proper TIS is submitted.

CALTRANS-9  
CONT

CALTRANS-10

CALTRANS-11

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

CALTRANS-12

Sincerely,

TOM DUMAS, CHIEF  
OFFICE OF METROPOLITAN PLANNING

c: SMorgan State Clearinghouse



## State Agencies

### **California Department of Transportation (CALTRANS)**

#### *Response to CALTRANS-1*

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

#### *Response to CALTRANS-2*

The agency requested that the travel demand model be provided for Caltrans review, and that the most current version of ITE's Trip Generation be used to develop the trip generation for the project.

In response to this request, Fehr & Peers e-mailed the traffic model files to Caltrans in late September 2010. Pages 3.12-21 through 3.12-25 of the Draft EIR describe the methodology used to estimate the project's trip generation.

Trip generation is further addressed in Master Response 1.

#### *Response to CALTRANS-3*

The agency requested that truck trip percentages on page 28 of the Transportation Impact Study (Appendix J) be justified.

Page 28 of the Transportation Impact Study and page 3.12-2 of the Draft EIR provide truck percentages for daily, AM peak-hour, and PM peak-hour conditions observed at the Elwood, Illinois facility. This data was obtained directly from the CenterPoint Intermodal Center North Joliet, Illinois Traffic Study prepared by Hanson Professional Services (2008).

#### *Response to CALTRANS-4*

The agency stated that the existing volumes at the Roth Road/I-5 interchange are lower than shown in other recent studies. The agency further requested that existing/future volumes at the interchange be verified with the Caltrans Traffic Forecasting Branch.

The traffic counts at this interchange were conducted in 2008. A review of the Caltrans's Traffic Volume website indicates that average annual daily traffic (AADT) on I-5 south of Roth Road did not change between 2008 and 2009, which suggests little or no growth in traffic on Roth Road. Furthermore, no new development has recently occurred in the immediate vicinity of the interchange that could cause an increase in traffic at this interchange. A literature search of the other trucking projects mentioned in the comment did not reveal any existing counts that could be compared with the 2008 counts. A comparison of 2004 counts from the Central Lathrop Specific Plan Draft EIR (dated 2004) and the 2008 counts used in this study showed the traffic volumes on Roth Road directly east of the interchange were 6 percent lower in 2008 than in 2004. This demonstrates that the Roth Road corridor is not experiencing background traffic volume growth, and that the 2008 counts can be reasonably used to represent existing conditions.

*Response to CALTRANS-5*

The agency stated that the Louise Avenue/I-5 and Airport Way/SR 120 interchanges need to be analyzed as part of the traffic analysis.

Figure 3.12-3 shows the expected distribution of trips generated by the CenterPoint Intermodal Facility. The Louise Avenue/I-5 interchange was not studied because little or no project traffic is anticipated to use its on- and off-ramps. CenterPoint trips will use various mainline segments of I-5, which were analyzed in the Draft EIR. The Airport Way/SR 120 interchange was not studied because fewer than 10 percent of project trips would use this interchange. Furthermore, traffic signals were recently installed at its ramp terminal intersections, which have resulted in acceptable operations.

Trip distribution is further discussed in Master Response 2.

*Response to CALTRANS-6*

The agency stated that the project must provide Surface Transportation Assistance Act (STAA) turn radius improvements at the on- and off-ramps at the Lathrop Road/I-5 interchange.

The majority of the project trucks would use Roth Road to access I-5, which is a designated STAA route. Lathrop Road is not an STAA route. As described on pages 3.12-40 and 3.12-41 of the Draft EIR, the project would cause a significant impact at the I-5 Northbound off-ramp/Lathrop Road intersection. The Draft EIR notes that the City of Lathrop is pursuing a set of interim improvements to the Lathrop Road/I-5 interchange with funding provided through developer fees, the Measure K half-cent sales tax, the San Joaquin County Regional Transportation Impact Fees (RTIF), and other sources. The CenterPoint Intermodal Facility would generate sales tax revenue and pay the County RTIF, which would help fund improvements to this interchange. Such improvements may include STAA turn radius improvements.

*Response to CALTRANS-7*

The agency stated that the traffic analysis needs to include other pending and approved projects, including Silva Trucking Facility, Holt of California, Gordon Trucking, KSC Travel Center, and Pilot Travel Center. The agency also suggested that the traffic analysis needs to analyze geometric requirements at the ramps and intersections in these scenarios.

Consistent with the City of Manteca’s standard practice, traffic impacts were evaluated under “Existing Plus Project” and “Cumulative” scenarios. The cumulative scenarios accounted for pending and approved projects. However, the Existing Plus CenterPoint analysis did not consider other pending and approved projects, as the purpose of this scenario was to evaluate how project trips would affect existing traffic conditions. Furthermore, the inclusion of an “existing plus pending/approved projects plus proposed project” scenario is not a requirement under CEQA.

As noted previously, Roth Road and its interchange with I-5 is an STAA route, which currently accommodates STAA trucks. The Draft EIR analyzed ramp merge/diverge movements at this interchange, freeway mainline operations, and ramp terminal intersection capacity.

*Response to CALTRANS-8*

The agency stated that the traffic analysis should include queuing analysis results.

In response to this request, Table 3-1 has been prepared to display available storage and expected 95<sup>th</sup> percentile vehicle queues at the Roth Road off-ramps for all scenarios evaluated in the Draft EIR.

**Table 3-1: 95<sup>th</sup> Percentile Queue Length By Scenario**

Ramp	Feet						
	Available Storage	Existing	Existing Plus CenterPoint	Cumulative No Project	Cumulative Plus CenterPoint	Cumulative Plus Master Plan	Cumulative Plus Master Plan After Mitigation
I-5 Southbound Ramp/Roth Road	1,370	28	48	533	>2,000	>2,000	363
I-5 Northbound Ramp/Roth Road	1,340	19	24	345	426	765	273
Notes: 95th percentile queue length shown is for worst-case movement during the AM or PM peak hour. >2000 feet queue length is shown because inputs exceed analysis software’s ability to produce reasonable queue estimates. Maximum queue lengths at the Roth Road/Harlan Road intersection are not reported because the software used for analysis (Traffix) only calculates average queue lengths for all-way stop controlled intersections. Source: Fehr & Peers Transportation Consultants, 2010.							

The request that queuing be provided for “existing plus approved projects” scenarios is noted; however, such evaluations are not required under CEQA and may be considered speculative, given the uncertainty of which projects will actually develop under current economic conditions. Analysis of improvements at the I-5/Lathrop Road interchange will include vehicle storage evaluation in addition to operations analysis results. As a result, this data is not shown.

*Response to CALTRANS-9*

The agency stated that the project is required to apply for terminal access for all interchanges in the study area.

The City of Manteca and the project applicant will coordinate with the appropriate Caltrans District Truck Coordinator to determine if an application for terminal access is necessary. If required, the City/applicant will follow the appropriate procedures to complete the application and install the needed terminal access signs.

*Response to CALTRANS-10*

The agency stated that if the project will be built in phases, analyses of such phases should be included in the traffic analysis.

As stated in Section 2, Project Description, buildout of the Master Plan is expected to occur over a 15-year period. The CenterPoint Intermodal Facility is expected to be developed first, with the middle and south areas developing later. Because of the limited information about when the non-CenterPoint phases would be developed, the traffic analysis evaluated the CenterPoint Intermodal Facility under existing and cumulative conditions and the remaining Master Plan uses were analyzed under cumulative conditions.

*Response to CALTRANS-11*

The agency stated that Caltrans does not concur with the proposed submittal until all of the aforementioned comments are fully addressed and a proper Transportation Impact Study is submitted.

As indicated in Responses to CALTRANS-2 through CALTRANS-10, all of the agency's comments have been addressed.

*Response to CALTRANS-12*

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



PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



September 15, 2010

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

Re: Notice of Completion, Draft Environmental Impact Report (DEIR)  
Northwest Airport Way Master Plan  
SCH# 2010022024

Dear Ms. Henson:

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

CPUC-1

Since confirmation of the funding application for the proposed overpass to separate Roth Road from the Union Pacific main line rail crossing is not confirmed, the Commission recommends that the existing rail crossings in the project area be included in an updated traffic impact study (T.I.S) at the time of site plan submittal to ensure that the at-grade railroad crossings have been adequately analyzed with applicable mitigation measures to support the proposed project in accordance with CEQA.

CPUC-2

In addition to the potential impacts of the proposed project itself, the T.I.S needs to consider cumulative rail safety-related impacts created by other projects.

CPUC-3

In general, the major types of impacts to consider are collisions between trains and vehicles, and between trains and pedestrians. The proposed project has the potential to increase vehicular and pedestrian traffic in the vicinity.

CPUC-4

Measures to reduce adverse impacts to rail safety need to be considered in the updated T.I.S. General categories of such measures include:

CPUC-5

Rochelle Henson  
SCH # 2010022024  
September 15, 2010  
Page 2 of 2

- Installation of grade separations at crossings, i.e., physically separating roads and railroad track by constructing overpasses or underpasses
- Improvements to warning devices at existing highway-rail crossing
- Installation of additional warning signage
- Improvements to traffic signaling at intersections adjacent to crossings, e.g., traffic preemption
- Installation of median separation to prevent vehicles from driving around railroad crossing gates
- Prohibition of parking within 100 feet of crossings to improve the visibility of warning devices and approaching trains
- Installation of pedestrian-specific warning devices and channelization and sidewalks
- Construction of pull out lanes for buses and vehicles transporting hazardous materials
- Installation of vandal-resistant fencing or walls to limit the access of pedestrians onto the railroad right-of-way
- Elimination of driveways near crossings
- Increased enforcement of traffic laws at crossings
- Rail safety awareness programs to educate the public about the hazards of highway-rail grade crossings

CPUC-5  
CONT

Commission approval is required to modify an existing highway-rail crossing or to construct a new crossing. Completion and submittal of a General Order (GO) 88-B will be required for any proposed work to the crossings along with appropriate project environmental documents per CEQA. Please forward the scope of the updated T.I.S for our review and comment to ensure that the crossings are adequately addresses in the analysis and follow the CPUC recommended scope.

CPUC-6

Thank you for your consideration of these comments. We look forward to working with the City on this project.

If you have any other questions in this matter, please contact me at (415) 713-0092 or email at [ms2@cpuc.ca.gov](mailto:ms2@cpuc.ca.gov).

CPUC-7

Sincerely,

Moses Stites  
Rail Corridor Safety Specialist  
Consumer Protection and Safety Division  
Rail Transit and Crossings Branch  
180 Promenade Circle, Suite 115  
Sacramento, CA 95834-2939

**California Public Utilities Commission (CPUC)**

*Response to CPUC-1*

The agency provided background regarding its regulatory responsibilities. No response is necessary.

*Response to CPUC-2*

The agency stated that because funding for the proposed grade separation of Roth Road at the Oakland Subdivision railroad grade crossing is not confirmed, the CPUC recommends that the City require the applicant to submit an updated Transportation Impact Study that adequately addresses grade crossings with applicable mitigation measures at the time of site plan submittal.

The Draft EIR evaluated project impacts to safety at the existing Roth Road grade crossings on pages 3.12-67 and 3.12-68. The evaluation reviewed accident histories at the Fresno and Oakland subdivisions grade crossings (refer to Response to CPUC-4 for further discussion), existing and future roadway volumes, safety equipment, and planned improvements. After evaluation of all of the aforementioned factors, the Draft EIR concluded that impacts would be less than significant. Note that the agency did not provide any specific comments on this analysis.

Furthermore, although the analysis discussed the planned grade separation of Roth Road from the Oakland Subdivision, it did not cite this planned improvement as the reason that impacts were found to be less than significant. Rather, mention of this planned improvement was provided for informational purposes.

For these reasons, the Draft EIR adequately evaluated railroad grade crossing safety; therefore, there is no legal basis for requiring the applicant to perform additional review at the time of site plan submittal.

*Response to CPUC-3*

The agency stated that the Draft EIR needs to consider the cumulative rail safety-related impacts created by the proposed project and other projects.

As discussed in Response to CPUC-2, the Draft EIR's analysis considered accident histories at the Fresno and Oakland subdivisions grade crossings (refer to Response to CPUC-4 for further discussion), existing and future roadway volumes, safety equipment, and planned improvements. All of these factors are inherently "cumulative," as they represent baseline conditions from past and present projects as well as forecasted future conditions with the addition of the proposed project and other pending projects. As such, the Draft EIR's grade crossing safety analysis considered "cumulative" rail safety-related impacts created by the proposed project and other projects.

*Response to CPUC-4*

The agency stated that the major types of impacts to consider are collisions between trains and vehicles and trains and pedestrians. The agency stated that the proposed project has the potential to increase the frequency of both types of collisions.

Grade crossing incident rates at the Roth Road railroad grade crossings of the Fresno Subdivision and Oakland Subdivision were reported on pages 3.12-14 and 3.12-67 of the Draft EIR. Table 3-2 summarizes the information reported in the Draft EIR. As shown in Table 3-2, both grade crossings on Roth Road have substantially lower incident rates than the national rate for grade crossings with gates or flashing lights. This reinforces the conclusions in the Draft EIR that the proposed project would not exacerbate grade crossing safety.

**Table 3-2: Roth Road Grade Crossing Incident Summary**

Grade Crossing	Average Daily Trains	Reported Incidents (2002-2009)	Average Daily Vehicle Crossings	Estimated Crossings (2002-2009)	Incidents per 100,000 Crossings (2002-2009)	National Rate
Roth Road/ Fresno Subdivision	18	2	6,100	17,812,000	0.010	0.500
Roth Road/ Oakland Subdivision	20	1			0.006	
Notes: Average daily vehicle crossings obtained from Table 3.12-1 of Draft EIR Estimated crossings = (Average daily crossings) x (365 days per year) x (8 years) Incidents per 100,000 Crossings (2002-2009) = (Reported Incidents) / (Estimated Crossings) x (100,000) National Rate represents the figure published in the United States Department of Transportation Railroad Safety Statistics 2007 Final Annual Report for grade crossings with gates or flashing lights. Source: United States Department of Transportation, 2010.						

All of the reported incidents shown in Table 3-2 involved trains and vehicles. No train-pedestrian collisions were reported at either crossing during the period reviewed. Furthermore, the potential for train-pedestrian collisions at either crossing is considered very low given the characteristics of the Roth Road corridor, which is predominantly industrial and agricultural in nature. These types of land uses typically generate little to no pedestrian activity; therefore, pedestrian crossings of the Roth Road railroad grade crossings are rare and infrequent events.

For these reasons, the Draft EIR appropriately evaluated the potential for train-vehicle and train-pedestrian collisions to occur and concluded that impacts would be less than significant.

**Response to CPUC-5**

The agency listed a number of rail safety mitigation measures that need to be considered in the updated Transportation Impact Study, including grade separations, warning devices, signage, median separations, fencing, and similar measures.

As explained in Responses to CPUC-2 through CPUC-4, the Draft EIR appropriately evaluated grade crossing safety impacts and concluded that impacts would be less than significant. As such, there is no legal basis to require mitigation for this impact.

*Response to CPUC-6*

The agency provided standard language regarding the procedures necessary to obtain CPUC approval of grade crossing modifications. The agency requested that the scope of the updated Transportation Impact Study be provided for CPUC review and comment.

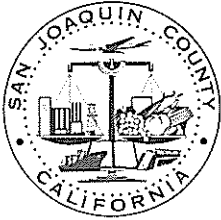
No modifications to the Roth Road grade crossings are proposed. Therefore, there is no need to obtain any approvals.

As explained in Responses to CPUC-2 through CPUC-5, there is no legal basis for requiring the preparation of an updated Transportation Impact Study.

*Response to CPUC-7*

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





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

**DIRECTOR**  
Donna Heran, REHS

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

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

**RECEIVED**

AUG 16 2010

COMMUNITY DEVELOPMENT  
DEPARTMENT

August 12, 2010

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

**Subject: Notice of Availability of the Draft Environmental Impact Report for the Northwest Airport Way Master Plan**

The San Joaquin County Environmental Health Department (EHD) has the following comments in regards to the above proposed project:

- A. The existing homes are being served by onsite sewage disposal systems and individual wells for domestic and irrigation purposes. The EHD recommends that as a part of developing these properties, the existing well(s) and septic system(s) shall be destroyed under permit and inspection with the EHD. Any existing residences or businesses that remain shall be connected to public sewer and public water.

EHD-1

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

EHD-2

Rodney Estrada,  
Lead Senior REHS

RE:tl





## Local Agencies

### **San Joaquin County Environmental Health Department (EHD)**

#### *Response to EHD-1*

The agency stated that the existing residences within the project boundaries are served by onsite sewage disposal systems and individual wells for domestic and irrigation purposes. The agency recommended that existing wells and septic systems be destroyed under permit and inspected by EHD. The agency recommended that any existing residences or businesses that remain should be connected to public sewer and public water.

EHD's recommendations for destruction of wells and septic systems were referenced on page 3.7-21 of the Draft EIR, and Mitigation Measure HAZ-1b requires these recommendations to be implemented.

All Master Plan uses would be served by the City of Manteca's municipal water and sewer systems. Properties within the non-master plan annexation areas would be eligible for connection to the City of Manteca's municipal water and sewer systems if and when such services become available.

#### *Response to EHD-2*

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



Community Development Department

390 Towne Centre Dr. – Lathrop, CA 95330  
Phone (209) 941-7290 – Fax (209) 941-7268  
[www.ci.lathrop.ca.us](http://www.ci.lathrop.ca.us)

September 14, 2010

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

Attn: Rochelle Henson, Senior Planner

Subject: Comments on Draft Environmental Impact Report for the Northwest Airport Way Master Plan.

Dear Ms. Henson;

The City of Lathrop has reviewed the Draft Environmental Impact Report (DEIR) for the Northwest Airport Way Master Plan in the City of Manteca, and wishes to provide comments on the DEIR. As previously stated, the City of Lathrop supports this project; however, the project does need to appropriately mitigate its impacts upon our community. We are most concerned with transportation; therefore, at this time we are limiting our comments to Section 3.12 - Transportation of the DEIR:

LATHROP-1

1. **Lathrop Road and Roth Road Corridors and Intersections - p. 3.12-42 and 3.12.64 Conclusions & Mitigations.** As supported in the attached communication from Crane Transportation Group, the City of Lathrop must respectfully disagree with the conclusion and mitigations of the Transportation section that “the only feasible mitigation measure” is to require the project applicant to only “pay applicable County regional transportation fees and City of Manteca transportation fees at the time building permits are sought.” The DEIR statement “Because uncertainty exists, the residual significance of this impact is significant and unavoidable” is not an appropriate analysis conclusion to the City of Lathrop.

LATHROP-2

The California Environmental Quality Act (CEQA) requires and mandates that mitigation measures be imposed on a project to avoid or mitigate a project’s significant environmental impacts. The draft DEIR has not mitigated the projects transportation impacts on the City of Lathrop, when feasible mitigations measure options exist. The City of Lathrop respectfully requests that the City of Manteca mitigate the transportation impacts of the Northwest Airport Way Master Plan.

2. **Peer Review Response by Crane Transportation Group.** As referenced above, attached is a peer review analysis by Crane Transportation Group, dated August 22, 2010. At your earliest convenience, please address and respond to the comments and questions raised in the attached communication from Crane Transportation Group.

LATHROP-3

The City of Lathrop looks forward to working cooperatively with the City of Manteca to appropriately and adequately address the project's transportation impacts. If you have any questions please call me at (209) 941-7298 or email me at [cmullen@ci.lathrop.ca.us](mailto:cmullen@ci.lathrop.ca.us).

LATHROP-4

Sincerely,



Charlie Mullen  
Principal Planner

Attachment:

1. Communication from Crane Transportation, dated August 22, 2010.

Cc: Steve Pinkerton, City Manager, City of Manteca, 1001 W. Center Street, Manteca, CA 95337  
Mark Nelson, Community Development Director, City of Manteca 1001 W. Center Street, Manteca, CA 95337  
Cary Keaten, City Manager  
Salvador Navarrete, City Attorney  
Steve Salvatore, Deputy City Manager/Public Works Director  
Tom Ruark, Acting City Engineer

# CRANE TRANSPORTATION GROUP

*Central Valley Office:*  
2621 E. Windrim Court  
Elk Grove, CA 95758  
(916) 647-3406 *phone*  
(916) 647-3408 *fax*

*San Francisco Bay Area Office:*  
6220 Bay View Avenue  
San Pablo, CA 94806  
(510) 236-9375 *phone*  
(510) 236-1091 *fax*

---

## MEMORANDUM

**TO:** Tom Ruark ([truark@ci.lathrop.ca.us](mailto:truark@ci.lathrop.ca.us))  
Charlie Mullen ([cmullen@ci.lathrop.ca.us](mailto:cmullen@ci.lathrop.ca.us))

**FROM:** Mark D. Crane, P.E.

**DATE:** August 22, 2010

**RE:** **PEER REVIEW OF CITY OF MANTECA – NORTHWEST AIRPORT WAY MASTER PLAN DRAFT EIR (DEIR) TRANSPORTATION SECTION**

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Tom/Charlie:

At the request of the City of Lathrop, Crane Transportation Group has peer reviewed the above-referenced document. Listed below are comments/questions I have regarding the analysis methodologies and input data used (or not used), assumptions, conclusions and missing analysis. Comments generally follow the order of presentation in the DEIR.

LATHROP-5

1. ***Traffic count data used for Lathrop intersections is old.*** Counts used in the DEIR were from 2008 and early 2009. Mid 2010 counts with truck data are available from the City of Lathrop. Older counts may not have reflected full occupancy at Lathrop High School or the connection of Golden Valley Parkway to Lathrop Road. Also, the intermodal facility may have had significantly lower traffic 1.5 years ago. The analysis of Lathrop intersections potentially started with an out-of-date and lower than realistic traffic base.

LATHROP-6

2. ***Analysis of Synchro 95th percentile vehicle queuing and SIM Traffic vehicle queuing is missing for all I-5 interchanges in Lathrop for all conditions.*** Analysis should be conducted at the Lathrop Road/I-5 freeway ramp intersections, the Roth Road/I-5 freeway ramp intersections and at the Roth Road/Harlan Road intersection for Synchro 95th percentile and SIM Traffic queuing.

LATHROP-7

3. ***Near term analysis horizon is missing.*** There is no near term horizon analysis which evaluates the proposed project in relation to other approved and proposed County and City of Lathrop projects that will be impacting the Roth Road and Lathrop Road corridors.

LATHROP-8

4. ***Trip generation potential of Center Point Intermodal Facility is difficult to accurately determine.*** As stated in the DEIR traffic study, the trip generation potential of the expanded intermodal facility cannot be readily established from typical trip generation references due to its unique type of land use. Lengthy explanations of the trip generation estimation process are provided, but it is truly an unknown whether their projections are in the ballpark or not. A big factor for traffic by time of day will be train schedules; were they the same at the other facility being used as a model for the Lathrop facility (in Illinois) and, if not, would this produce different truck arrival/departure patterns at Lathrop versus the survey site in Illinois?

LATHROP-9

The only accurate way to properly assess impacts and ultimately needed mitigations is to monitor conditions at the facility when built. If volumes are the same or lower than projected, no adjustments to mitigations will be needed. If the peak hour trip generation is significantly higher than projected for impact analysis, an updated study with updated mitigation should be required.

LATHROP-10

5. ***Project trip distribution estimates are questionable.*** The study indicates that 80 percent of the vehicles now using the Lathrop intermodal terminal's Roth Road driveway turn to/from the west (and the Roth Road interchange with I-5). However, the traffic study projects that the Center Point Intermodal Facility (which will have access to Roth Road and Airport Way) will only have 36 percent of its traffic using Roth Road to/from I-5 and only 14 percent of its traffic using Lathrop Road to/from I-5. The revised distribution is based upon output from the City of Manteca Travel Demand Forecasting Model (which predicts an average traffic distribution for all land uses in Manteca and is not necessarily sensitive to truck travel patterns to/from the freeway system). It is recommended that separate distribution patterns be developed for project trucks (primarily to/from I-5 based upon existing truck patterns) versus non-trucks (which may have a more balanced flow in all directions as predicted by the Manteca Travel Demand Model).

LATHROP-11

6. ***Existing + Center Point traffic evaluation is not meaningful and hides true impacts.*** While CEQA calls for an existing + project evaluation, it really provides no useful real world data as it ignores background traffic from approved or pending projects. For example, the project analysis predicts good operation at the Roth Road/I-5 Ramps and Roth Road/Harlan Road intersections for existing + Center Point conditions. However, if the analysis were to include traffic from proposed and approved County and City of Lathrop projects adding traffic to this interchange, operation would be much poorer, with signalization warranted at all three intersections for near term horizon conditions (without the Center Point project).

LATHROP-12

7. ***The proposed project is not required to pay its fair share contribution towards needed mitigations at the Lathrop Road and Roth Road I-5 interchanges.*** EIR-recommended project contributions towards needed improvements would not likely provide a fair share contribution towards improvements which are going to be needed in the near term (with or without Center Point development).

LATHROP-13

- |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |            |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 8.  | <p><b><i>Significance criteria used for unsignalized intersection analysis is very liberal and allows a major increase in project traffic without resulting in a significant impact.</i></b> Criteria presented indicate that at an unsignalized intersection already operating at LOS F, a significant impact results if the average delay for the highest delayed side street is increased by 3 seconds and <b><i>causes one of the peak hour signal warrants to be met.</i></b> This last clause prevents the project from producing a significant impact at the Lathrop Road/I-5 Southbound Ramps intersection.</p>                                                                                  | LATHROP-14 |
| 9.  | <p><b><i>Cumulative development list omits projects in Lathrop and the County.</i></b> Currently proposed and approved projects in the City of Lathrop and in the County that would add significant traffic levels to the Roth Road and Lathrop Road interchanges have not been included in the analysis.</p>                                                                                                                                                                                                                                                                                                                                                                                            | LATHROP-15 |
| 10. | <p><b><i>Central Lathrop Specific Plan traffic volumes projected in the current DEIR for the Roth Road and Lathrop Road interchanges are significantly different than those projected in the previous Central Lathrop Specific Plan EIR.</i></b> Projections in both studies were developed by the same traffic engineering firm, Fehr &amp; Peers.</p>                                                                                                                                                                                                                                                                                                                                                  | LATHROP-16 |
| 11. | <p><b><i>Evaluation of the need for Harlan Road realignment at Roth Road is missing from the DEIR evaluation.</i></b> The DEIR considers this improvement as speculative. Since Lathrop is now conducting environmental analysis in regards to this improvement, its analysis should be included in the DEIR.</p>                                                                                                                                                                                                                                                                                                                                                                                        | LATHROP-17 |
| 12. | <p><b><i>DEIR mitigation fair share funding responsibility language provides an easy escape for the project not to meet its realistic funding responsibility for Roth Road and Lathrop Road interchange area improvements.</i></b> Additional funding and possibly up-front improvements should be provided for circulation system projects required in the City of Lathrop that may be needed in the near term, but which are currently not on any local or regional traffic impact fee mitigation list.</p>                                                                                                                                                                                            | LATHROP-18 |
| 13. | <p><b><i>Discussion of Roth Road grade separation projects are deficient.</i></b> The DEIR indicates that Roth Road is ultimately planned to be a four-lane arterial adjacent to the project site. It is already a four- to six-lane facility at I-5. However, no issue is raised regarding the fact that a currently pending funding application for the UP Oakland subdivision grade separation is only for a two-lane overpass. Costing for a four-lane overpass needs to be determined and the project's fair share cost for the additional widening determined and assigned. Fair share costing allocation for the UP Railroad Fresno subdivision grade separation also needs to be determined.</p> | LATHROP-19 |
| 14. | <p><b><i>The impacts of increased train activity to truck/auto traffic flow at Roth Road at-grade crossings have not been evaluated.</i></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | LATHROP-20 |
| 15. | <p><b><i>Increased train activity at the Roth Road at-grade crossings and the impacts to emergency vehicle access along the Roth Road corridor have not been evaluated.</i></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | LATHROP-21 |
| 16. | <p><b><i>Project traffic impacts to pedestrians and bicycles along Roth Road and Lathrop Road in the City of Lathrop have not been evaluated.</i></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | LATHROP-22 |

17. **Construction traffic impact analysis for Lathrop streets is missing.** The DEIR encourages all construction traffic to use Roth Road and Lathrop Road to access I-5 (through the City of Lathrop), yet provides no analysis regarding the level of construction traffic activity and times of traffic activity, as well as anticipated impacts and needed mitigation measures in the City of Lathrop. Potentially, Airport Way to/from the S.R.120 interchange (in Manteca) may be a more appropriate construction traffic access route to the project site.

LATHROP-23

**IN SUMMARY:**

- Trip generation projections for the project site are very speculative and need to be monitored over time to see if traffic levels predicted in the EIR are being exceeded and added mitigation required.
- Project traffic has been projected to shift radically away from the Roth Road and Lathrop Road corridors in the City of Lathrop (compared to existing distribution patterns at the Roth Road intermodal facility). This shift, particularly for project truck traffic, may potentially be well underestimating the project traffic impacts at the Roth Road and Lathrop Road I-5 interchanges.
- The DEIR has not taken into consideration the traffic from numerous proposed/approved projects in Lathrop and the County that will also be impacting the Roth Road and Lathrop Road I-5 interchanges.
- Vehicle queuing/blocking impacts have not been evaluated at the Roth Road and Lathrop Road I-5 interchanges.
- There is no near term horizon analysis.
- Significance criteria are very liberal and help the project avoid many logical significant impacts.
- Full evaluation of the Harlan Road realigned intersection (and the impacts without realignment) should be provided.
- The need for Roth Road grade separations needs to be expanded greatly.
- Construction traffic impacts and needed mitigation on Lathrop streets need to be provided.
- Project traffic impacts to pedestrian and bicycle activity along Roth Road and Lathrop Road need to be detailed and mitigations recommended.

LATHROP-24

Mark Crane, P.E.



**City of Lathrop (LATHROP)**

*Response to LATHROP-1*

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

*Response to LATHROP-2*

The agency summarized its comments concerning traffic mitigation on the Lathrop Road and Roth Road corridors. The City of Lathrop contends that the Draft EIR has not identified all feasible mitigation measures for transportation impacts.

As will be explained in Responses to LATHROP-6 through LATHROP-24, all feasible mitigation for transportation impacts has been identified in the Draft EIR.

*Response to LATHROP-3*

The agency referenced attached comments provided in a memorandum prepared by Crane Transportation Group, dated August 22, 2010. The Crane Transportation Group comments are addressed in Responses to LATHROP-6 through LATHROP-24.

*Response to LATHROP-4*

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

*Response to LATHROP-5*

Crane Transportation Group provided introductory remarks to preface its memorandum dated August 22, 2010.

*Response to LATHROP-6*

Crane Transportation Group suggested that the analysis of Lathrop intersections potentially started with a traffic base that was “out of date and lower than realistic” because of the age of the intersection counts.

As described in Table 3.12-1, average daily volume counts were collected on Lathrop Road in May 2009. Fehr & Peers reviewed the May 2009 daily volume counts and made adjustments where necessary to peak-hour through traffic at the study intersections on Lathrop Road at I-5, Harlan Road, Fifth Street, McKinley Avenue, and Airport Way. The existing AM and PM peak-hour volumes shown on Exhibit 3.12-2 at the McKinley Avenue/Lathrop Road intersection are a combined 10 percent greater than the existing intersection volumes in the Lathrop Gateway Business Park Draft EIR, released in 2010 by the City of Lathrop. Thus, the existing volumes at intersections on Lathrop Road are not “out of date or lower than realistic.”

*Response to LATHROP-7*

Crane Transportation Group stated that queue length information be provided at the Lathrop Road/I-5 and Roth Road/I-5 freeway off-ramps and Roth Road/Harlan Road intersection.

This information was not included in the technical appendix because the determination of significant impacts was not based on these results. Nevertheless, Table 3-1 (Response to CALTRANS-8) displays the 95<sup>th</sup> percentile queue lengths at the I-5/Roth Road off-ramps for all scenarios. Data is not shown for I-5/Lathrop Road because the City of Lathrop and Caltrans will be coordinating to identify and construct improvements to meet the travel demands at this interchange, including adequate off-ramp storage. Until a final set of design plans is developed, it would be speculative to analyze the planned available and required storage at this interchange.

*Response to LATHROP-8*

Crane Transportation Group stated that a near-term analysis horizon is missing.

The inclusion of a near-term scenario is not a requirement under CEQA. Given current economic conditions, the assumption of certain pending and approved projects under such a scenario would be speculative. Pending and approved (but not yet constructed) projects were considered in the cumulative analysis.

*Response to LATHROP-9*

Crane Transportation Group stated that the trip generation potential of CenterPoint Intermodal Facility is difficult to determine accurately.

Trip Generation is addressed in Master Response 1.

*Response to LATHROP-10*

Crane Transportation Group stated that the only accurate way to properly assess impacts and ultimately needed mitigation is to monitor conditions at the facility when built.

CEQA Guidelines Section 15002 establishes that the basic purposes of CEQA review is to 1) inform decision makers and the public about potential significant environmental effects of proposed activities; 2) identify the ways that environmental damage can be avoided or significantly reduced; and 3) prevent significant, avoidable damage to the environment by requiring changes to projects through the use of alternatives or mitigation measures when such changes are feasible.

In this case, Crane Transportation Group's proposed approach of monitoring conditions after the proposed project is developed to identify mitigation measures is contrary to the basic purposes of CEQA review described above, as it would defer analysis and mitigation until after the environmental impacts occur. As such, this approach is not considered legally feasible.

Furthermore, the City of Manteca regularly monitors all roadways within the city limits. The City would be able to identify potential operational or safety problems that may arise after the proposed project is developed and, if needed, implement corrective actions.

*Response to LATHROP-11*

Crane Transportation Group stated that the project trip distribution estimates are questionable.

Trip distribution is addressed in Master Response 2.

*Response to LATHROP-12*

Crane Transportation Group stated that an “Existing Plus CenterPoint” traffic evaluation is not meaningful and hides true impacts. Crane Transportation Group asserted that if pending projects in Lathrop and San Joaquin County were considered, signalization would be warranted on Roth Road at the I-5 ramps and Harlan Road intersection.

Since it is unknown which approved and pending projects may develop in the near term, such an analysis would be speculative. To illustrate, continued development of the Central Lathrop Specific Plan could accelerate the need for these improvements. However, it is unknown how much development of this plan may occur in the near term. It is worth noting that the CenterPoint Intermodal Facility causes significant cumulative impacts at these three intersections. Mitigations for these impacts consist of the applicant paying its fair share for the cost of traffic signals at each location.

*Response to LATHROP-13*

Crane Transportation Group stated that the proposed project is not required to pay for its fair share contribution towards needed mitigations at the I-5/Lathrop Road and I-5/Roth Road interchanges.

Mitigation Measure TRANS-1 requires the project applicant to pay applicable transportation-related fees including the San Joaquin County Regional Transportation Impact Fees (RTIF) at the time building permits are sought. This is the most appropriate approach for mitigating project-related impacts at the I-5/Lathrop Road and I-5/Roth Road interchanges because (1) both facilities would operate at unacceptable LOS F under the “cumulative without project” conditions, (2) both facilities are under the jurisdiction Caltrans and, therefore, are outside of the control of the City of Manteca, and (3) there are planned improvements to both facilities<sup>1</sup>.

Furthermore, requiring the applicant to install the necessary improvements at both interchanges does not constitute feasible mitigation because (1) both facilities are outside of the control of the City of Manteca, and (2) the cost of these improvements would be disproportionately greater than the proposed project’s impact and, therefore, would be inconsistent with CEQA Guidelines Section 15126.4(a)(4)(B) provisions concerning “rough proportionality” of mitigation to impacts.

In summary, Mitigation Measure TRANS-1 represents the only feasible mitigation measure for impacts at the I-5/Lathrop Road and I-5/Roth Road interchanges.

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<sup>1</sup> The 2011 Draft Regional Transportation Plan (SJCOG) identifies improvements I-5/Lathrop Road as “Tier I” (funded) and improvements as at I-5/Roth Road as a “Tier II” (unfunded). Tier I improvements are funded, in part, by RTIF fees.

*Response to LATHROP-14*

Crane Transportation Group stated that the significance criteria used for unsignalized intersection analysis is very “liberal” because they require that both (1) a 3-second increase in delay to occur and (2) a peak-hour warrant to be met at locations operating at unacceptable LOS E or F. Crane Transportation Group asserted that these criteria prevent the project from producing a significant impact at the I-5 Southbound Ramps/Lathrop Road intersection.

These criteria are contained in the City of Manteca’s draft traffic impact study guidelines. It was crafted to focus on identifying impacts and mitigations at intersections that actually require improvements (for example, to avoid identifying impacts at an intersection whose side-street stop-controlled approach serves 10 vehicles per hour that operate at LOS E).

Crane Transportation Group’s assertion that the criteria allow a major increase in project traffic without resulting in a significant impact is not supported by the analysis in the Draft EIR. As an illustration, the project adds 65 PM peak-hour trips to the all-way stop-controlled Lathrop Road/SR 99 Frontage Road intersection, which is a 4-percent increase over existing traffic volumes. Based on the significance criteria, a significant impact was identified. With regard to the I-5 Southbound Ramps/Lathrop Road intersection, the project would add less than five vehicles per hour to the off-ramp. Such a negligible increase in traffic would not cause a perceptible change in operating conditions or create an impact deemed to be significant.

*Response to LATHROP-15*

Crane Transportation Group stated that the cumulative development list omits projects in Lathrop and San Joaquin County. No specific projects were identified.

Page 3.12-44 of the Draft EIR describes many of the approved or pending land use developments included in the version of the SJCOG travel demand model used in this study. It is important to note that the development list on Page 3.12-44 is prefaced with “Some of the significant projects assumed in the model . . . ,” which suggests the list is not all-inclusive. Since the SJCOG model is regional in nature and reflects input from various agencies regarding anticipated land use development, it follows that the model includes foreseeable land use development in Lathrop and San Joaquin County. No additional investigation of this comment is possible without knowing which specific projects in Lathrop or San Joaquin County were allegedly omitted.

*Response to LATHROP-16*

Crane Transportation Group stated that the Central Lathrop Specific Plan Draft EIR (2004) traffic forecasts are significantly different from those in the DEIR.

The “cumulative plus project” traffic forecasts on Roth Road east of I-5 are approximately 50 percent greater in the Central Lathrop Specific Plan Draft EIR than in this study. This increase is due to a number of factors, of which the most meaningful difference is land use assumptions west of I-5. It is apparent from the Central Lathrop Specific Plan Draft EIR that cumulative development assumptions

were made for the land north of Central Lathrop Specific Plan. Since this area does not have entitlements and is not being actively processed, it does not meet the CEQA definition of a “reasonable and foreseeable” project. In fact, pages 19-2 through 19-4 of the Lathrop Gateway Business Park Draft EIR (2010) lists various related projects under cumulative conditions, but does not include this area. This study assumed no development in this area, which resulted in significantly less traffic on Roth Road directly west and east of I-5 when compared with the Central Lathrop Specific Plan Draft EIR. Other factors that influenced the differences in forecasts include the assumption in the Central Lathrop Specific Plan Draft EIR of the interchange being upgraded (i.e., additional trips attracted to this interchange due to its additional capacity), and use of an older version of the travel demand model. The cumulative traffic forecasts at the I-5/Roth Road interchange used in this study are considered reasonable and provide valuable information regarding the timing/need for improvements.

*Response to LATHROP-17*

Crane Transportation Group stated that the evaluation of the need for Harlan Road realignment at Roth Road is missing from the Draft EIR.

Page 3.12-59 of the Draft EIR acknowledges that the City of Lathrop is contemplating the relocation of the Roth Road/Harlan Road intersection easterly to provide improved spacing with I-5. As described, analysis of a realigned intersection was not conducted because it would require speculative assumptions regarding traffic controls and number of lanes. Mitigation Measure TRANS-2b requires the project applicant to provide fees for improvements to this intersection.

*Response to LATHROP-18*

Crane Transportation Group stated that the DEIR mitigation regarding fair-share funding responsibility language does not enable the project to meet its realistic funding responsibility for Roth Road and Lathrop Road interchange improvements.

Funding responsibility for the I-5/Roth Road and I-5/Lathrop Road interchanges was previously addressed in Response to LATHROP-13

*Response to LATHROP-19*

Crane Transportation Group stated that the discussion of the Roth Road grade separation projects is deficient. Crane Transportation Group noted that Roth Road is contemplated to be developed as four- to six-lane facility, but the proposed grade separation at the Oakland Subdivision was described in the Draft EIR only as a two-lane facility. The author stated that the proposed overpass needs to be a four-lane facility and the project’s fair-share contribution needs to be identified in the Draft EIR for both the Oakland Subdivision and Fresno Subdivision grade separations.

As discussed in Responses to SHOTTS-7 and SHOTTS-26, the proposed Roth Road grade separation at the Oakland Subdivision is currently being studied, and no final decisions have been made regarding the design (including number of lanes). Regardless, as indicated on page 2-28, the

proposed grade separation is being considered as part of the proposed Lathrop Intermodal Terminal Expansion project and is independent of the proposed Northwest Airport Way Master Plan. As such, comments regarding the grade separation are most appropriately directed to the County of San Joaquin, which is the lead agency for the Lathrop Intermodal Terminal Expansion project.

Regarding the author's request that the proposed project's fair-share contribution needs to be identified in the Draft EIR for both the Oakland Subdivision and Fresno Subdivision grade separations, as discussed on pages 3.12-67 and 3.12-68, the proposed project would not have a significant impact on safety at the Roth Road railroad grade crossings. Therefore, no nexus exists to require the proposed project to contribute fair-share fees to the proposed grade separations. Furthermore, the grade separations are not currently programmed into an adopted fee program, and even if a nexus did exist, there is no way to legally obligate the project applicant to contribute fair-share fees to these improvements.

Refer to Response to CPUC-4 for further discussion.

*Response to LATHROP-20*

Crane Transportation Group stated that the impacts of increased train activity to truck/auto traffic flow at Roth Road at-grade crossings have not been evaluated.

As noted on page 2-24 of the Draft EIR, the proposed CenterPoint Intermodal Facility would receive as many as six train movements per week from the adjacent Lathrop Intermodal Terminal; however, these movements would occur on spur tracks between the terminal and CenterPoint and would not pass through either of the Roth Road grade crossings. As such, the proposed project would not increase the frequency of train crossings on Roth Road.

The Draft EIR evaluated grade crossing safety statistics for both Roth Road grade crossings between 2002 and 2009 and concluded that the proposed project would not increase safety risks at either crossing. This was the best available information about train activity to truck/auto traffic flow at Roth Road at-grade crossings at the time of the Draft EIR's release. Refer to Response to CPUC-4 for further discussion.

Finally, at the time of the Draft EIR's release, there was no information available about increased train activity (Union Pacific or Altamont Commuter Express) on the Fresno or Oakland subdivisions in the vicinity of the Roth Road grade crossings. As such, it would be speculative to evaluate the impacts of increased train activity to truck/auto traffic flow.

*Response to LATHROP-21*

Crane Transportation Group stated that increased train activity at the Roth Road grade crossings and the impacts to emergency vehicle access along the Roth Road corridor were not evaluated.

Train activity at the Roth Road grade crossing was addressed in Response to LATHROP-20.

Regarding emergency vehicle access along the Roth Road corridor, it should be noted that the Oakland Subdivision forms the boundary between the City of Manteca and the City of Lathrop. As such, each jurisdiction's fire and law enforcement providers would not be expected to cross the Oakland Subdivision when responding to an emergency except when summoned for mutual aid. Furthermore, in a mutual aid event, emergency responders would have the ability to use the Lathrop Road overcrossing of the Oakland Subdivision to cross the railroad tracks. For these reasons, the proposed project would not have significant impacts to emergency vehicle access along the Roth Road corridor.

*Response to LATHROP-22*

Crane Transportation Group stated that project traffic impacts to pedestrians and bicycles along Roth Road and Lathrop Road in the City of Lathrop have not been evaluated.

Page 3.12-12 of the Draft EIR noted that bicycle and pedestrian facilities are not currently provided on Roth Road. The Roth Road corridor is predominantly characterized by industrial and agricultural land uses. These types of land uses typically generate little to no bicycle and pedestrian activity. The Roth Road corridor is contemplated for continued industrial and agricultural land use activities by the City of Manteca, the City of Lathrop, and the County of San Joaquin general plans; therefore, there is no basis to assume that significant bicycle and pedestrian activity would occur in the future.

Lathrop Road has existing, discontinuous pedestrian facilities in various places between I-5 and Airport Way. In addition, a shoulder exists along both sides of the roadway within the Lathrop city limits that is wide enough to allow for bicycle travel. As discussed on page 3.12-70, the proposed project would provide frontage improvements along Lathrop Road, including pedestrian facilities and 14-foot outside travel lanes that can accommodate bicyclists. These facilities would link up to existing pedestrian and shoulder facilities that currently exist along Lathrop Road.

*Response to LATHROP-23*

Crane Transportation Group stated that a construction traffic impact analysis for Lathrop streets is missing.

Impact TRANS-7 provided a qualitative assessment of construction traffic impacts. The analysis discussed anticipated construction traffic routes, including routes that use Lathrop roadways (e.g., Roth Road and Lathrop Road), and noted that delays and lane closures may occur.

As such, Mitigation Measure TRANS-7 requires the applicant to prepare a construction traffic control plan for review and approval by the City of Manteca. The plan will describe the timing and routing of construction vehicles with recommendations made that they use regional facilities such as Lathrop Road, Roth Road, and Airport Way. Because construction trips would be expected to travel through the City of Lathrop, the provisions of the construction traffic control plan would apply to Lathrop roadway facilities.

In summary, the Draft EIR evaluated construction traffic impacts in Lathrop to the extent that information was available and requires mitigation to mitigate such impacts to a level of less than significant.

*Response to LATHROP-24*

Crane Transportation Group summarized the comments provided in LATHROP-6 through LATHROP-23. Refer to Responses to LATHROP-6 through LATHROP-23.



June 23, 2010

Environmental Impact Report for CenterPoint Intermodal Center.

First several years ago when I first heard of CenterPoint, I asked the City of Manteca for the paperwork. The planning department down right lied to me and said there was no developer and no paperwork to give me. An EIR was in the process at the time. The only reason I learned of the project was at a council meeting a few months ago and a report was given on the progress.

REICHELT-1

This is my question and response to CenterPoint. The people living on Airport Way will all be affected by this horrible project. These people have never been notified of this project and do not live in Manteca, they are County.

REICHELT-2

This project will also affect the people living on Louise Avenue. We were not notified and were forced into the City of Manteca without being able to vote. The majority of the people living in the area did not want to be annexed and turned in signatures that were ignored.

REICHELT-3

This is what needs to be included in the EIR.

Traffic on Airport Way, Lathrop Road, and Louise Ave. This will also impact the bypass on 120.

REICHELT-4

Lighting – the lighting will be an extreme problem for everyone living within miles of CenterPoint. The lighting from the other from the other truck railroad off of Arch Road to the tracks can be viewed for miles and miles.

REICHELT-5

Noise – the trucks lined up waiting to get serviced is loud and will cause no sleep because at night noise is worse.

REICHELT-6

Smell and health hazard. Idling trucks cause an extreme odor and the odor contains chemicals that are not healthy.

REICHELT-7

Destroy the school farm where children have crops and animals. Many showed at the County fair and won awards and won lots of money selling their project.

Georgiana Reichelt  
3605 E. Louise Lane  
Manteca, CA 95337  
823-1550

REICHELT-8

P.S. Once again this project will involve me and I want to be put on your list and notified. Manteca has never worked with the people!!!!

REICHELT-9

June 23, 2010 Michael Brandman Associates

Environmental Impact Report for  
CenterPoint Inter-modal Center.

JUN 24 '10 AM 10:30

First several years ago when I first heard of CenterPoint I asked the City of Manteca for the paperwork - The planning Department down right lied to me and said there was no developer and no paperwork to give me - An EIR was in the process at the time.

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majority of the people living in the area did not want to be annexed and turned in signatures that were ignored.

This is what needs to be included in the EIR.

Trucks on Airport Way, Lathrop Road and Louise Ave. This will also impact the By Pass or 120.

Lighting - The lighting will be an eyesore problem for everyone living within miles of Central Point. The lighting from the other truck railroad off of Arch Road to the tracks can be viewed for miles and miles.

Noise - the trucks lined up waiting to get serviced is loud and will cause no sleep because at night noise is worse.

Smell and health hazards, taking trucks cause an eyesore odor and the odor contains chemicals that are not healthy.

Destroy the school farm where children have crops and animals. Many

many shined at the County fair and  
won awards and won lots of money  
selling their project.

Georgiana Recket  
3605 E. Laurel Ave.  
Monte Carlo, Ga.  
95337

823-1550

P.S. Once again this project will involve  
me and I want to be put on your  
list and notified. Monte Carlo has  
never worked with the people!!!

## Private Parties and Individuals

### **Georgiana Reichelt (REICHELТ)**

Note to reader: The author originally submitted the comment letter in handwritten form. In the interests of readability, the letter is presented in typed form. Both the handwritten and typed letters are reproduced.

#### *Response to REICHELТ-1*

The author stated that she previously requested “paperwork” for the CenterPoint Intermodal Facility project several years ago and was told that there was no such paperwork or developer for the project. The author stated that she recently heard about the project at a City Council meeting and asserted that she had been lied to regarding the project status.

CenterPoint Properties officially filed an application to develop the CenterPoint Intermodal Facility with the City of Manteca in October 2008. The CEQA process formally commenced in February 2010 with the release of the Notice of Preparation. The Draft EIR was released in August 2010.

Ms. Reichelt has made several document requests that pertain to the proposed project, which are chronicled below. As indicated below, the City of Manteca has provided all available information in a timely manner pursuant to Ms. Reichelt’s requests.

- July 2008: An oral request was made over the counter for project information. City staff advised Ms. Reichelt that an application had not been filed yet; therefore, there was no paperwork to provide.
- March 3, 2010: A written request was submitted to the City Clerk’s office for project information. The City Clerk responded in writing on March 16, 2010 indicating that the request needed to be clarified.
- March 25, 2010: Ms. Reichelt submitted a written request clarifying her March 3 request. On April 20, the City made the project file available to Ms. Reichelt via the City Clerk’s office.
- June 23, 2010: Ms. Reichelt provided comments and concerns regarding the EIR, which is the letter contained in this document.
- June 28, 2010: Ms. Reichelt requested a copy of the Master Plan.
- July 1, 2010: The City Clerk responded to Ms. Reichelt’s letters dated June 23 and June 28. Ms. Reichelt was advised that the Master Plan was not available at that time because it was still being internally reviewed. Ms. Reichelt was placed on the project notification list.

#### *Response to REICHELТ-2*

The author stated that residents along Airport Way will be adversely affected by the proposed project and were notified about it because they do not live in the Manteca city limits.

Pursuant to CEQA requirements, the City of Manteca published all notices pertaining to the environmental review process in the Manteca Bulletin and posted notices on the City's website. Notices were mailed to all residents and property owners within the Master Plan and non-master plan areas, as well as all persons and organizations who requested inclusion on the project mailing list. Additionally, at the request of residents in the Union Ranch subdivision neighborhood, the City held a workshop about the project on Thursday, September 30.

Furthermore, several residents who live along Airport Way in unincorporated San Joaquin County or in the Union Ranch subdivision (to the east of Airport Way) in the Manteca city limits acknowledged receiving the various project notices at the August 24, 2010 Planning Commission meeting (refer to Section 4, Responses to Planning Commission Meeting Comments on the Draft EIR for further discussion). As such, the author's claim that affected residents did not receive notice about the project is incorrect.

*Response to REICHEL T-3*

The author stated that the proposed project will adversely affect residents living along Louise Avenue. The author asserted that these residents were neither notified nor will have the ability to vote on annexation. The author claimed that a majority of affected residents turned in signatures opposing annexation that were ignored by the City.

The author's claims regarding noticing were previously addressed in Response to REICHEL T-2.

Residents of the East and South non-master plan annexation areas will have the ability to vote on annexation. As such, the author's claims in this regard are incorrect.

*Response to REICHEL T-4*

The author stated that the Draft EIR needs to evaluate traffic on Airport Way, Lathrop Road, Louise Avenue, and State Route 120 (SR-120).

The traffic analysis in Section 3.12, Transportation included evaluations of intersections on Airport Way, Lathrop Road, and Louise Avenue. However, as shown in Exhibits 3.12-3 and 3.12-4, most project-related trips would be expected to come from I-5, either via Roth Road or Lathrop Road; therefore, SR-120 did not warrant analysis. Refer to Master Response 2 for further discussion.

*Response to REICHEL T-5*

The author stated that lighting will be an extreme problem for everyone living within miles of the proposed project. In an apparent reference to the BNSF Railway intermodal facility in Stockton, the author stated that lighting from that terminal can be seen for miles.

Light and glare impacts were evaluated in Section 3.1, Aesthetics, Light, and Glare. As explained in Impact AES-3, the Master Plan includes Design Standards and Guidelines that limit nighttime light to only what is necessary for operations, safety, security, and identification. In addition, lighting must

be screened from adjacent residential uses and cannot be directed upward or beyond the boundaries of the project site. For these reasons, it can be concluded that light impacts would not significantly affect nearby land uses.

*Response to REICHEL T-6*

The author stated that noise impacts associated with queued trucks will be loud and will adversely affect the sleep of nearby residents.

The proposed Master Plan uses are intended to minimize adverse truck impacts through the use of an internal connection with the Union Pacific Lathrop Intermodal Terminal. This connection would allow for trucks receiving or delivering containers to the Lathrop Intermodal Terminal to avoid using City streets.

Furthermore, as shown in Exhibits 3.12-3 and 3.12-4, most project-related trips would be expected to come from I-5, either via Roth Road or Lathrop Road. Trucks trips would enter or leave at access points along Roth Road or Airport Way. Most of the access points would not be directly across from residential uses; instead, most would be more than 0.5 mile from the Union Ranch subdivision, which is the nearest cluster of residential uses to the Master Plan area.

Furthermore, the Draft EIR evaluated operational impacts from the Master Plan uses in Section 3.10, Noise. The analysis found that proposed project would not significant increase ambient noise levels in the project vicinity. This includes noise from project-related truck trips. Refer to Section 3.10, Noise for further discussion.

For these reasons, it can be concluded that nearby residents would not be adversely affected by project-related truck noise.

*Response to REICHEL T-7*

The author expressed concern about odors and health hazards associated with truck emissions.

Project-related air quality impacts were assessed in Section 3.3, Air Quality/Greenhouse Gas Emissions. The analysis included an evaluation of health risks at nearby sensitive receptors from diesel particulate matter and odor impacts from the Master Plan uses. The Draft EIR concluded that nearby sensitive receptors would not be risk of unhealthful exposure to diesel particulate matter or significant odor impacts from truck exhaust. Refer to Section 3.3, Air Quality/Greenhouse Gas Emissions for further discussion.

*Response to REICHEL T-8*

The author claimed that the proposed project would destroy the Manteca Unified School District Farm.

The Manteca Unified School District Farm is not within the boundaries of the Master Plan or the non-master plan annexations. Furthermore, the farm is approximately 0.6 mile from the Master Plan boundaries. As such, land use activities associated with the Master Plan would not adversely affect the farm.

*Response to REICHEL T-9*

The author requested being included on the project notification list.

As indicated in Response to REICHEL T-1, the author is on the notification list.



RECEIVED

AUG 30 2010

COMMUNITY DEVELOPMENT  
DEPARTMENT

To: Rochelle Henson, Senior Planner  
City of Manteca

From: Beatrice Allen Lingenfelter *all*  
2353 Fawnwood Lane  
Manteca, CA 95336  
209-239-3881

Date: August 27, 2010

Re: Public Comment re Northwest Airport Way Master Plan Draft EIR

LINGENFELTER

We are concerned about the impact of this project on a number of issues most specifically traffic, noise, air quality, hazardous material transport and exposure to those of us living in the area of Del Webb Woodbridge adjacent to Airport Way and near Lathrop Rd.

-1

When reading the Executive Summary of the Transportation Impact Study, Appendix J it seems that although French Camp Road was part of the study there was much greater emphasis on the traffic impacts related to Lathrop Road and Airport Way intersection and roadways. We believe that the adverse impact on residential and commercial properties is far greater if the traffic is routed especially on Lathrop and than North on Airport Way to Roth Road. The access from Rt. 99 on French Camp Road has much less dense land use already in existence.

-2

It makes sense to have I-5 traffic come directly off the Roth Road exit to the expanded facility and that Rt 99 traffic come from the French Camp exit for trucks Northbound on Rt. 99 and then South on Airport Way, and have Southbound 99 trucks use the Crosstown Freeway to access I-5 South leading to the Roth Road exit ramp. However there seems to be no consideration of this option in the Transportation Impact Study (Appendix J)

-3

We strongly urge this alternative route be included in the EIR to determine feasibility and lower impact on existing properties. Truck traffic and all its negative environmental issues are already making the Airport Way/Lathrop intersection dangerous and gridlocked at times. Tripling the number of cargo containers in these areas and widening the roadway will be a detriment to the quality of life for residents and business owners.

-4

Thank you for your consideration of this request to include alternative routes for traffic in the EIR investigation.

-5



***Beatrice and Allen Lingenfelter (LINGENFELTER)***

*Response to LINGENFELTER-1*

The authors indicated that they are residents of the Del Webb Woodbridge community (Union Ranch subdivision) and are concerned about traffic, noise, air quality, and hazardous materials impacts.

The author's specific concerns are addressed in Responses to LINGENFELTER-2 through LINGENFELTER-4.

*Response to LINGENFELTER-2*

The authors referenced the Executive Summary of the Transportation Impact Study in Appendix J and stated that the traffic study appeared to assume that most projected-related trips would use Lathrop Road and Airport Way. The author stated that routing trips on either Roth Road from I-5 or French Camp Road from State Route 99 would lessen impacts.

Trip distribution is discussed in Master Response 2.

*Response to LINGENFELTER-3*

The authors stated that it makes sense to have I-5 traffic use Roth Road and SR-99 traffic to use French Camp Road. The authors stated that there is no consideration of these routing options in the Transportation Impact Study.

Trip distribution is discussed in Master Response 2.

*Response to LINGENFELTER-4*

The authors recommended that the alternative routes be considered in the EIR to determine feasibility and lower the impact on existing properties. The authors asserted that existing truck traffic has made the Lathrop Road/Airport Way intersection dangerous at times. The authors stated that increasing the frequency of truck trips and widening the roadway will be detrimental to the quality of life for residents and business owners.

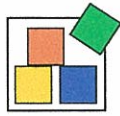
The authors' proposed alternative routes are discussed in Master Response 2.

The proposed improvements to Lathrop Road, Airport Way, and Roth Road along the Master Plan frontages will include the installation of shoulders, travel lanes, turn lanes, center medians, and pedestrian facilities. All of these features would represent significant improvements relative to the existing conditions of these roadways and would therefore be expected to enhance the safety of these facilities. Furthermore, the quality of life for residents who live near these roadways would also be expected to be enhanced, as there would be less peak-hour congestion. Because the authors did not provide specific evidence of how these roadway improvements would diminish safety and quality of life, no further response can be provided.

*Response to LINGENFELTER-5*

The authors provided closing remarks to conclude the letter.





“Site Planning, Project Design, Application Preparation, Submittal, & Monitoring.”

September 8, 2010

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

HAND DELIVERED

Re: N.O.A. Public Comment - Northwest Airport Way Master Plan - SCH #2010022024.

APN: 198-050-26 (2164 Lathrop Road)

In accord with the instructions provided in the Notice of Availability for the subject project, I am submitting the following comments on behalf of my client, Livermore Acres, Inc.

CANTU-1

1. The project E.I.R. needs to include impact analysis (including traffic volumes and lane configuration) and mitigation for potential phased impact to the existing roadway intersection that is utilized by the Livermore Acres property (and the cement plant).

CANTU-2

2. The project E.I.R. needs to include traffic and circulation analysis (including traffic volumes and lane configuration) for the future intersection at Lathrop Road created by the proposed collector street located along the west side of the commercial land use site.

CANTU-3

3. The project design will adversely affect the development viability of the Livermore Acres property due to the proposed relocation of the current roadway intersection utilized by the Livermore Acres property (which also serves as access to the cement plant). How will the fiscal and physical impacts be mitigated?

CANTU-4

4. According to City of Manteca public works, the design capacity of the existing sewer pump station on Airport Way includes the future development proposed for the Livermore Acres property. Does that determination change with the development of the master plan area?

CANTU-5

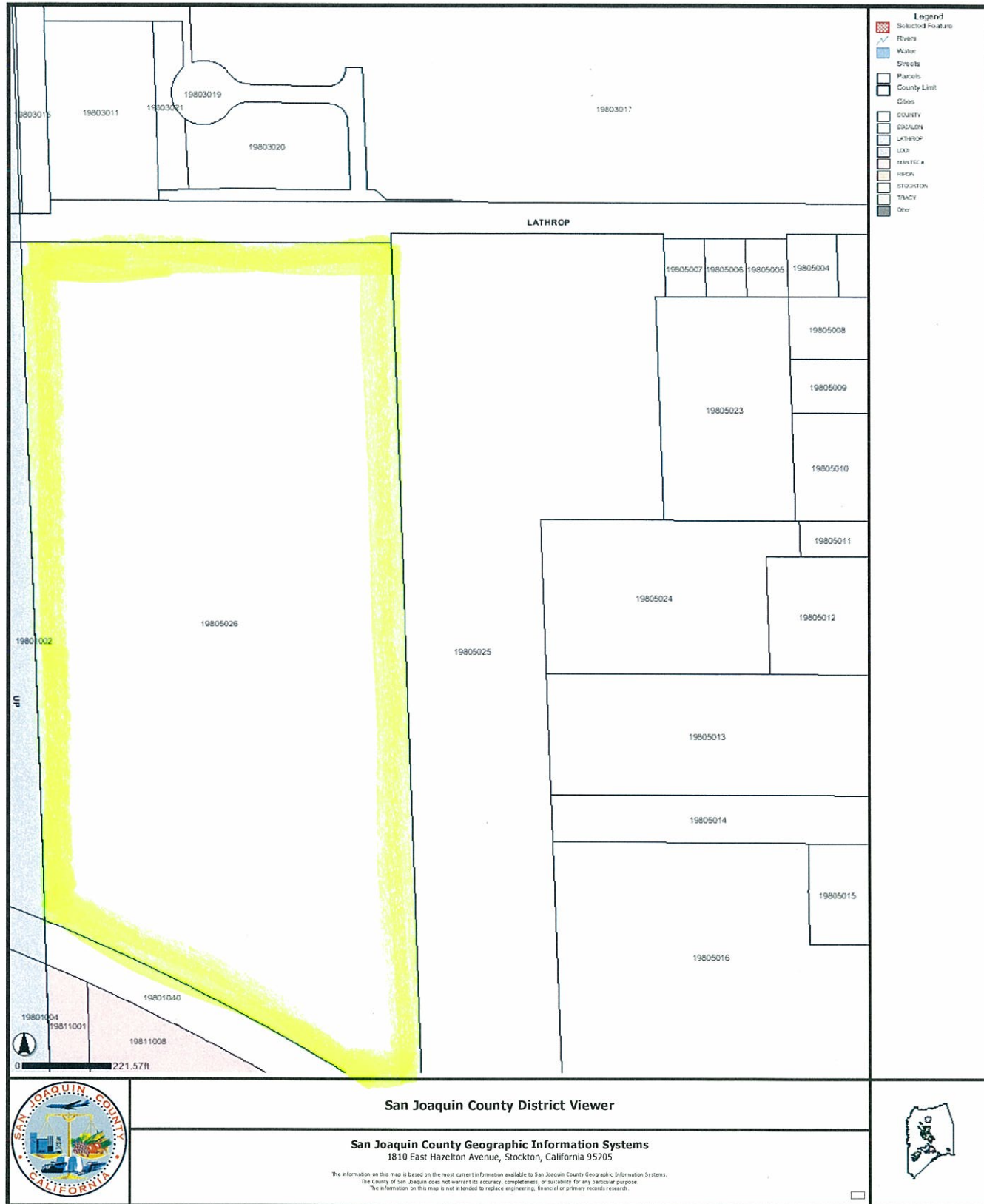
Should there be any questions, please feel to contact me.

CANTU-6

Sincerely,

Benjamin J. Cantu, Jr.  
Planning Principal

c. Livermore Acres, Inc., 119-A N. Maple Avenue, Manteca, CA 95336



CANTU-7

San Joaquin County District Viewer

San Joaquin County Geographic Information Systems  
1810 East Hazelton Avenue, Stockton, California 95205

The information on this map is based on the most current information available to San Joaquin County Geographic Information Systems.  
The County of San Joaquin does not warrant its accuracy, completeness, or suitability for any particular purpose.  
The information on this map is not intended to replace engineering, financial or primary records research.

**Benjamin Cantu (CANTU)**

*Response to CANTU-1*

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

*Response to CANTU-2*

The author stated that the Draft EIR needs to include analysis (including traffic volumes and lane configuration) and mitigation for potential impacts to the intersection that provides access to the Livermore Acres property and Calaveras Materials cement plant.

This intersection would not be affected in the near term, as the southern portion of the Master Plan area would be last to develop (likely after 2020); refer to page 2-47 of the Draft EIR. Refer to Response to CANTU-3 for further discussion.

*Response to CANTU-3*

The author stated that the EIR needs to include traffic and circulation analysis (including traffic volumes and lane configuration) for the future intersection at Lathrop Road created by the proposed collector street.

Exhibit 2-9 displays the Master Plan Long-Term Circulation Plan, which shows a new signalized access on Lathrop Road between Airport Way and the existing overpass.

The new signalized intersection would replace the existing cement plant driveway. The new signalized intersection would be located about 1,300 feet west of Airport Way. The City has developed a circulation plan called the “Northgate Drive extension,” which would serve properties located west of Airport Way and south of Lathrop Road, including the Livermore Acres property. This circulation plan would include the aforementioned traffic signal on Lathrop Road, a new signal access at the Airport Way/Northgate Drive intersection, and a full-access public street connection to Airport Way opposite Hastings Drive. The Draft EIR did not analyze the future signalized intersection on Lathrop Road because of the uncertainty of how the remaining (non-CenterPoint) Master Plan properties would be developed in terms of driveways and parking lot locations. As required by Mitigation Measure TRANS-4b, the City of Manteca will require detailed site access evaluations as applications are submitted for the remaining Master Plan properties.

*Response to CANTU-4*

The author stated that the project design will adversely affect the development viability of the Livermore Acres property.

As discussed in Response CANTU-3, planned improvements along Lathrop Road will include a new signalized intersection that will serve properties located west of Airport Way and south of Lathrop Road including the Livermore Acres property. The City’s “Northgate Drive extension” circulation plan will provide a signalized access into the Livermore Acres property from Airport Way. By

providing improved access to multiple arterial streets, access to the Livermore Acres property from adjacent streets is enhanced.

*Response to CANTU-5*

The author stated that the existing design capacity of the pump station on Airport Way includes the future development proposed for the Livermore Acre property. The author inquired if this would change as a result of the development contemplated by the Master Plan.

The City of Manteca plans the capacity of its municipal infrastructure systems based on development contemplated by the General Plan. Capacity is available for future development projects on a “first-come, first-serve” basis; however, it would be an error to state that capacity is “assigned” to individual properties. Furthermore, the Livermore Acres property is outside the City limits, and, in accordance with General Plan Policy PF-P-21, it would not be eligible for sewer service until it is annexed into the city limits. Thus, properties within the Northwest Airport Way Master Plan boundaries would have priority to connect to the City’s municipal sewer system, whereas Livermore Acres would not if it remains in unincorporated San Joaquin County. For these reasons, it is incorrect to describe the Airport Way pump station as being designed to provide capacity for future development proposed for the Livermore Acres property.

Regardless, any future development proposals for the Livermore Acres property will be required to evaluate the availability of utility systems, including sewer. However, until such an application is filed, it would be speculative to discuss this matter further.

*Response to CANTU-6*

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

*Response to CANTU-7*

The author attached a map depicting the Livermore Acres property in relation to the Master Plan area. No response is necessary.





Holme Roberts & Owen LLP  
*Attorneys at Law*

SAN FRANCISCO

September 15, 2010

BOULDER

Ms. Rochelle Henson, Senior Planner  
City of Manteca  
Community Development Department  
1001 W. Center Street  
Manteca, CA 95337  
Email: rhenson@ci.manteca.ca.us

COLORADO SPRINGS

Re: Northwest Airport Way Master Plan Draft EIR

Dear Ms. Henson:

DENVER

The Union Pacific Railroad (“UP”) has reviewed the Northwest Airport Way Master Plan Draft EIR (“DEIR”) for which the City of Manteca is serving as the Lead Agency.

SHOTTS-1

DUBLIN

The UP currently operates an intermodal facility, providing for the transfer of goods from rail to truck transport and from truck to rail transport, on approximately 135 acres within the unincorporated San Joaquin County (“County”) and immediately west of the Master Plan area studied by the DEIR. The UP is proposing to modernize and expand its facility, the Lathrop Intermodal Terminal, through the acquisition of approximately 145 acres of additional land to the south and east of its current facility footprint and immediately to the west of the Master Plan area. The UP’s proposed expansion project is currently being processed by the County, which will serve as the Lead Agency for an Environmental Impact Report to be prepared for the project.

SHOTTS-2

LONDON

LOS ANGELES

MUNICH

The UP’s proposed modernization/expansion project and the Northwest Airport Way Master Plan are separate projects undergoing separate environmental review by separate lead agencies. That said, the projects are located immediately adjacent to one another, will provide for a private access road between the two facilities and have the potential to create substantial synergies and productivity gains for shippers and producers of goods locally, regionally and beyond.

SHOTTS-3

PHOENIX

SALT LAKE CITY

Holme Roberts & Owen LLP  
*Attorneys at Law*

Community Development Department  
September 15, 2010  
Page 2

On behalf of the UP, we would therefore like to offer the following comments, contained as Attachment 1 of this letter, on the DEIR for your consideration. Please do not hesitate to contact us if you have any questions regarding our attached comments or seek additional information.

SHOTTS-4

Very truly yours,



Barry J. Shotts

cc:

Gerry Bisailon, Union Pacific  
Michael Zucker, Union Pacific  
Jon Marshall, PE, TranSystems  
Levi Turner, PE, TranSystems

**ATTACHMENT 1  
Northwest Airport Way Master Plan Draft EIR - Union Pacific Railroad Comments**

No.	EIR Reference	Union Pacific (UP) Comment
1.	Exhibit 2-2 – This exhibit incorrectly depicts the Master Plan Area parameters at the north end along Roth Road.	The UP site plan shown in the referenced exhibits, including Exhibit 2-7, incorrectly depicts several site elements, including the location of the proposed UP driveway on Roth Road and the location of the internal access road between the UP and CenterPoint facilities. The boundary between the UP site plan and Master Plan is also not accurately depicted as noted in certain instances. The applicant should review the site plan submitted with the San Joaquin County Use Permit application to correct and update the noted exhibits in the FEIR.
2.	Exhibit 2-4, 2-5, 2-6 – The parameters of the RCCI Property area are incorrectly displayed on this exhibit.	
3.	Exhibit 2-7 - Incorrectly shows the UP entrance at its existing location versus the proposed new location to the east as part of the UP's Lathrop Intermodal Modernization Project .	
4.	Exhibit 2-7 – This exhibit incorrectly depicts the Lathrop Intermodal Termination Modernization Project.	
5.	Exhibit 2-7 – Does not show the location of the internal access road between Master Plan project area and Lathrop Intermodal Terminal.	
6.	Page 2-27 – Private roadway entrances “F” and “A” on Roth Road to provide “full access” to trucks leaving and entering Master Plan area from the north and south. No signalization is planned at these entrances.	What appears to be private road entrance “F” on Roth Road adjacent to the Lathrop Intermodal Terminal (the Master Plan private roadways are not labeled on the site plan) would be within 300 feet of the UP’s relocated entrance to its facility, as shown on the UP site plan submitted to the County for its Lathrop Intermodal Modernization project . The applicant should be conditioned to coordinate the location and type of intersection of private road entrance "F" with UP and San Joaquin County to ensure continuity between the two project entrances in the interim and final buildout scenarios.
7.	Page 2-28 – “Roth Road is proposed to be grade-separated from the Union Pacific Railroad Oakland Subdivision.”	UP has proposed that such a grade separation project be studied in its project EIR as a project alternative and/or as a potential measure to mitigate traffic impacts from its project, the Northwest Airport Way Master Plan and other area uses. The UP has made no commitments regarding such a grade separation and, as a regional improvement, notes that any such project would be a collaborative effort between the UP, the San Joaquin Partnership, the County, other participating State and local agencies, including the City of Lathrop, City of Manteca and San Joaquin Council of Governments, and other area developers, including developers within the Northwest Airport Way Master Plan, and the public.
	Section 3.3 - Air Quality	As noted below, it appears that the Transportation Impact Study may have underestimated or not analyzed traffic impacts to certain sections of the local roadway network, based upon its assumed forecast of spatial trip distribution and for other reasons. Any such errors are likely to have propagated similar errors in the air quality and health effects analyses given the significance played by vehicle emissions. Therefore, the FEIR should update the air quality and health effects analyses once any errors in the traffic analysis have been corrected.

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8.	Section 3.4 – The Delineation of Jurisdictional Waters and Wetlands at Appendix D, Exhibit 7 of the EIR contains a map of the study area which includes areas that are no long part of the Master Plan area/project.	The Delineation of Jurisdictional Waters and Wetlands at Appendix D, Exhibit 7 includes areas that are no long part of the Master Plan area/project and are instead included within UP’s Lathrop Intermodal Modernization project, namely, portions of property held by RCCI (including isolated settling ponds ISB1, ISB2, ISB3, ISB4, ISB5 and ISB7 as depicted at Exhibit 7), and portions of property held by CenterPoint and Cardoza. The Master Plan area is depicted correctly at Exhibit 3.8-1 of the EIR. A note of this should be made in the EIR to avoid confusion.	-9
9.	Page 3-4.34 – The EIR states that the “Cal Suprema Cheese Factory contains nine settling basins (12.49 acres) which may support sufficient aquatic resources to establish CDFG Jurisdiction.”	As noted above, isolated settling ponds ISB1, ISB2, ISB3, ISB4, ISB5 and ISB7 associated with the Cal Supreme Cheese Factory are not within the Master Plan area as depicted at Appendix D, Exhibit 7, but are within the area being acquired by the UP for its Lathrop Intermodal Modernization Project. These settling ponds have been observed to be dry and no evidence of aquatic resources has been detected during the UP’s due diligence and, therefore, there is no evidence to suggest that these areas would be subject in any way to CDFG jurisdiction.	-10
10.	Page 3-4.35 and Appendix D.2 (pages 19-20) assert that Drainage Canal DC-1 (SSJID Drain 3) is subject to USACE and CDFG jurisdiction.	The ditch was found to be flowing in field visits in the summer of 2009, and it was therefore determined that Drain 3 carried a relatively permanent flow; however, those flows would have been irrigation runoff, therefore Drain 3 would be classified as an irrigation ditch during the irrigation season. During the irrigation offseason, Drain 3 would be classified as a drainage ditch that presumably only carries a flow during and shortly after a rainfall, i.e., it does not carry a relatively permanent flow of water. For these reasons, Drain 3 should be exempt from Section 404 of the Clean Water Act because it functions as an exempt irrigation ditch in the summer and an exempt drainage ditch in the winter and would not be subject to CDFG jurisdiction. We recommend that the EIR consultant coordinate with SSJID regarding the exempt status of Drain 3.	-11
11.	Table 3.12-1 – The EIR states that the traffic count at the Lathrop Intermodal Terminal Driveway on May 27-28, 2009 (Wednesday/Thursday), was 2400 Average Daily Traffic Volumes (ADTs).	The UP notes that the reported count of 2400 external daily trips exceeds its own observed count of 1848 average daily external trips, including trucks and passenger vehicles, based upon 12 months of data. The UP also notes that its proposed modernization/expansion project will be undergoing separate environmental review with the County of San Joaquin as the lead agency, including a full study of the impacts of the project upon transportation resources. Since it will be specifically tailored to the UP’s project, the traffic study conducted as part of the project EIR will likely yield results which are more representative of the Lathrop Intermodal Facility than the estimates provided in the Master Plan EIR, including with respect to traffic generation.	-12
12.	Page 3.12-21 of EIR and Page 27 of Transportation Impact Study – Incorrectly states that current capacity is 250,000 lifts and would expand to operate at 400,000 lifts by 2013 and 730,000 annual lifts by 2020.	The current capacity of the Lathrop Intermodal Yard is equal to 270,000 (not 250,000) lifts per year and the facility is currently operating near peak capacity. The UP proposes to expand the facility to a capacity of 400,000 per year by 2011-12 and to a capacity of 730,000 (not 750,000) lifts per year by 2020. Once capacity is expanded, actual operations will increase marginally depending upon market conditions (i.e., the UP does not anticipate operating at 400,000 lifts per year after Phase 1 expansion for several years after 2011).	-13
13.	Page 3.12-22 “Based on the Elwood land uses, annual lifts, and traffic data, the logistics/industrial space at CenterPoint Elwood is estimated to generate about 9,600 gross daily trips.”	The FEIR should provide additional detail on how this breakdown/estimate was calculated. If the Elwood figures are problematic because they combine intermodal and warehousing/logistics operations, other facilities should be considered for this data, including one or more of the many other facilities operated by Center Point. (See <a href="http://www.centerpoint-prop.com/projects/index.aspx">http://www.centerpoint-prop.com/projects/index.aspx</a> ).	-14

14.	<p>Page 3.12-22 – “The Lathrop Intermodal Terminal was observed in May 2009 to generate 2,400 external daily trips, 88 percent of which were trucks. Under cumulative conditions, the planned expansion of the facility would generate 7,200 external daily trips, based on the three-fold increase in annual lifts.”</p>	<p>UP is not proposing to triple its existing lift capacity but rather proposes to increase capacity from 270,000 lifts to 730,000 lifts per year by 2020, which is 2.7 times its current capacity. Hence, if 2400 external daily trips were observed at the Lathrop Intermodal Terminal Driveway under existing conditions, expanding the facility by 2.7 times its current capacity would yield 6480 external daily trips, not 7200 trips, if one simply multiplied the current trip count by the amount lift capacity is increasing. That said, UP notes that the reported count of 2400 external daily trips exceeds its own observed count of 1848 average daily external trips based upon 12 months of data. The UP also notes that its proposed modernization/expansion project will be undergoing separate environmental review with the County of San Joaquin as the lead agency, including a full study of the impacts of the project upon transportation resources. Since it will be specifically tailored to the UP’s project, the traffic study conducted as part of the project EIR will likely yield results which are more representative of the Lathrop Intermodal Facility than the estimates provided in the Master Plan EIR, including with respect to traffic generation.</p>	-15
15.	<p>Page 3.12-22 - Based on observations from other facilities and assumptions in the Joliet CenterPoint Traffic Study, this study assumes that 20 percent of Lathrop Intermodal Terminal truck trips would travel to/from CenterPoint Manteca. This represents 425 internal trips (i.e., 850 trip ends) under Existing Plus Project conditions. Given the planned extension of the Lathrop Intermodal Terminal, internalization is assumed to approximately double under cumulative conditions. These internal trip adjustments then yield the external trips associated with CenterPoint Manteca. Based on observations from other facilities and assumptions in the Joliet CenterPoint Traffic Study, this study assumes that 20 percent of Lathrop Intermodal Terminal truck trips would travel to/from CenterPoint Manteca. This represents 425 internal trips (i.e., 850 trip ends) under Existing Plus Project conditions. Given the planned extension of the Lathrop Intermodal Terminal, internalization is assumed to approximately double under cumulative conditions. These internal trip adjustments then yield the external trips associated with CenterPoint Manteca.</p>	<p>As noted above, even if one assumes that the Lathrop Intermodal Terminal generates 2400 external daily trips under existing conditions, which appears to overestimate traffic generation by 23% based upon 12 months of data recorded by the UP, this section of the study appears to underestimate the number of trips which would be internalized, or made directly between the Terminal and an immediately adjacent CenterPoint Manteca facility without accessing the public roads. If the Terminal currently generates 2400 external daily trips, 88% of which are trucks, and 20% of this truck traffic generation would be expected to travel directly to/from an adjacent CenterPoint Manteca facility, this would equal 422.4 “internalized” trips or the study appears to round this figure off to an estimated 425 trips. Then, if Terminal expansion generated 7200 external daily trips (which overestimates trip generation as noted above), 88% of which were trucks, this would equal 6336 external daily truck trips under cumulative conditions. If 20% of Terminal traffic is assumed to travel directly to or from the CenterPoint Manteca facility, the number of internalized trips would equal 20% of 6336 trips or 1267.2 trips, and not opposed to shipment solely by truck, thus generating a higher percentage of internalized trips. Additional study and detail should be provided in the FEIR regarding the assumed 20% internalization rate to ensure that it does not underestimate the amount of truck traffic which will travel directly between the two projects.</p>	-16
16.	<p>Page 3.12-22 “Trucks were observed to represent 68 percent of total external trips at CenterPoint Elwood and 88 percent of the trips at the Lathrop Intermodal Terminal. Based on these truck percentages and trip generation calculations from above, trucks would represent 53 percent of daily CenterPoint Manteca trips.”</p>	<p>If 93% of the space at CenterPoint Manteca will be filled with High-Cube Warehouse buildings for warehousing and distribution (see Page 3-12.23), with presumably most if not all of these goods being handled by trucks, one would expect trucks to generate more than 53% of the traffic at such a facility, depending upon the number of employees using passenger cars, carpooling, the availability of transit, etc. Indeed, truck traffic at the Elwood facility was observed to be equal to 68% of the total traffic, not 53%. It is not entirely clear how the EIR assumes that only 53% of the traffic generated by a CenterPoint Manteca facility would come from trucks. It appears this number was arrived at by deduction by comparing measured truck percentages at the Lathrop Intermodal Terminal (intermodal only) with total truck traffic at the combined (intermodal plus logistics/warehouse) Elwood facility. Moreover, no detail is given regarding whether the Elwood facility provides an appropriate comparable in this regard, including land use composition and vacancy, as compared to the planned CenterPoint Manteca facility. Given the significance of this value, and the number of logistics/warehouse facilities with similar attributes operated by CenterPoint (See <a href="http://www.centerpoint-prop.com/projects/index.aspx">http://www.centerpoint-prop.com/projects/index.aspx</a> ), the percentage of traffic generated by trucks at such a facility should be based upon actual measurements at one or more comparable facilities, ideally a facility which provides the same services as CenterPoint Manteca and not a combined intermodal/logistics facility such as Elwood. The FEIR should provide a clearer explanation for how it arrived at this estimate given the facility’s principal purpose of handling goods transported by trucks.</p>	-17

17.	Page 3.12-24 – Table 3.12-9 calculates estimated Trip Generation for the Master Plan uses excepting CenterPoint Manteca.	The internal roadway network for the Master Plan area will presumably be connected to the internal access road between CenterPoint Manteca and the Lathrop Intermodal Yard. The traffic generation numbers for the remaining Master Plan uses, at least the High-Cube Warehouse use, should therefore include a reasonable trip internalization factor as with CenterPoint Manteca (i.e., trips using the internal access road instead of public roads).	-18
18.	Page 3.12-25 – “Approximately 80 percent of vehicles using this [the Lathrop Intermodal Terminal] driveway traveled to/from the west on Roth Road (i.e., toward I-5). Based in part on output from the City of Manteca Travel Demand Forecasting Model, trips from Manteca CenterPoint will not be so heavily weighted to/from the west, because trucks will not constitute such a large percentage of the total trip generation.”	As noted above, 53% appears to be a low estimate for traffic generated by trucks at a facility with 93% of its space devoted to the warehousing and handling of goods invariably handled by trucks. This figure can and should be derived from actual observed data and not a comparison of dissimilar data from disparate facilities. Even if this was a reasonable estimate of the truck traffic percentage, there is no substantial evidence for the statement that trips from Manteca CenterPoint “will not be so heavily weighted to/from the west,” i.e., to and from I-5, the closest expressway to the project, via Roth Road, “because trucks will not constitute such a large percentage of the total trip generation.” Not only would one expect most trucks to utilize the nearest freeway (I-5) for the delivery of goods to and from a facility specializing in cargo warehousing and movement, one would also expect most employees to utilize I-5 to access the CenterPoint facility as well, with only limited residential housing opportunities in the area. Indeed, this is apparently the preferred route taken by UP employees at the Lathrop Intermodal Terminal as the 80% count includes both trucks and passenger vehicles. The Manteca CenterPoint facility would have two entrances on Roth Road for truck traffic within 600 feet of the Lathrop Intermodal Facility, have a signalized main entrance on Airport Way approximately 2500 feet from Roth Road versus over a mile from Lathrop Road, and have over 82% of its space at the “North Site” oriented around the corner of Roth Road and Airport Way. Hence, the Lathrop Intermodal Terminal Driveway is the intersection most representative of the Manteca CenterPoint Project, at least the North Site. And, regardless of the type of vehicle, drivers are simply going to use the closest route to the closest freeway available to them, in this case, Roth Road to I-5, as observed at the Lathrop Intermodal Terminal. This is particularly true because Roth Road is currently operating at LOS “B” from I-5 to Airport Way versus LOS “C” or “D” or “E” or even “F” for Lathrop Road depending upon the section (See Table 3.12-4). (Indeed the interim access plan for CenterPoint Manteca would have no direct access to Lathrop Road. See Page 3.12-26.) So, even if trucks comprise a smaller percentage of traffic at CenterPoint Manteca, most passenger cars are still going to enter and leave the facility from and to the west via Roth Road. Hence, the spatial distribution of traffic generated by the CenterPoint Manteca facility should be examined and derived from the actual, measured movements at the Lathrop Intermodal Terminal Driveway rather than generic forecasting models.	-19
19.	Exhibit 3.12-3 – Trip Distribution – CenterPoint Project Only Conditions	Exhibit 3.12-3, which shows the assumed spatial distribution of trips at interim buildout of the Master Plan, namely, the CenterPoint Manteca project, assumes that only 36% of the traffic from the project, oriented around the corner of Roth Road and Airport Way, would utilize Roth Road to and from the nearest freeway, I-5. As noted above, it appears the EIR underestimates the amount of traffic which would utilize Roth Road to and from I-5 based upon observed traffic distribution at the Lathrop Intermodal Terminal Driveway. Because trip distribution is heavily factored into the EIR’s analysis of traffic impacts at specific intersections from the Master Plan, this will have a ripple effect throughout the remainder of the transportation section of the document and may change the outcome of one or more conclusions regarding such impacts. LOS impacts will therefore need to be reanalyzed based upon a revised spatial distribution. For instance, the FEIR should provide more explanation for why 80% of drivers at the Lathrop Intermodal Terminal were observed to go to and from the nearest freeway (I-5), while only 36% of drivers at the immediately adjacent CenterPoint Manteca site are forecast to do so.	-20

20.	Exhibit 3.12-4 – Trip Distribution – Master Plan Buildout Conditions	<p>Exhibit 3.12-4, which shows the assumed spatial distribution of trips at full build out of the Master Plan, shows only 27% of trips utilizing Roth Road to the west and towards I-5. At full build out, the Master Plan will expand to the south and closer to Lathrop Road, including the Community Commercial portion at the corner of Lathrop Road and Airport Way. One would therefore expect less utilization of Roth Road to the west of the Master Plan area and greater utilization of Lathrop Road for I-5 access and other local streets in other directions as the project expands to the south. For the reasons noted above, however, the study appears to significantly underestimate the percentage of project traffic which will utilize Roth Road, under both the CenterPoint Project Only Conditions and at Full Master Plan Buildout, based upon the observed traffic data and should therefore be revised based upon more realistic and supportable assumptions. The forecast also assumes that only 17% of traffic will utilize Lathrop Road towards I-5 under both the CenterPoint Project Only Conditions – perhaps a reasonable assumption given that most buildings would be located far closer to Roth Road – and the Full Master Plan Buildout Conditions, when a Community Commercial Center will be constructed at the corner of Lathrop Road and Airport Way along with a number of industrial buildings located near and with access to Lathrop Road. No explanation is given for why adding over a million square feet of industrial uses and 200,000 square feet of commercial uses at Full Master Plan Buildout, most of it oriented around and/or with direct access to Lathrop Road, would not increase the percentage of Master Plan traffic utilizing Lathrop Road. More fundamentally, 80% of drivers at the Lathrop Intermodal Terminal, devoted exclusively to the handling of cargo, were observed to come from and go towards I-5. Yet the EIR forecasts that under the Center Point Project Only Conditions only 53% of traffic will utilize I-5 and under Full Buildout Conditions only 44% of traffic will utilize I-5 (both Lathop and Roth Roads towards the west). If the land uses of the projects were substantively different, this contradiction might be explainable and yet 80-90% of the Master Plan will also be dedicated to the handling of cargo (see Page 2-23). The EIR should explain these anomalies and revisit the spatial distribution forecast based upon more supportable assumptions and data, which may have a ripple effect throughout the remainder of the transportation section of the document and may change the outcome of one or more conclusions regarding LOS impacts.</p>	-21
21.	Section 3.12.6 – Project Impacts and Mitigation Measures.	<p>As noted above, the EIR’s forecast of the spatial distribution of trips associated with the CenterPoint Manteca project appears to significantly underestimate the percentage of traffic which will utilize Roth Road to and from I-5, the nearest freeway to most of the project buildings. This has a ripple effect throughout the transportation impact analysis, including at specific intersections. For instance, 80% of all traffic entering and departing the Lathrop Intermodal Terminal was observed to utilize Roth Road towards I-5. The Master Plan EIR forecasts that the CenterPoint Manteca project will generate 306 AM Peak Hour trips but that only 110 of these trips (36%) will utilize Roth Road in the direction of I-5. (See Exhibit 3.12-5, Study Intersection No. 5). For the PM Peak Hour, the project will generate an estimated 467 trips but that only 169 of these trips (36%) will utilize Roth Road/I-5. On a daily basis, the EIR forecasts that only 1400 trips out of nearly 4000 trips will travel to or from the direction of I-5. As noted above, at least 80% of the CenterPoint Manteca project space will be located at the corner of Roth Road and Airport Way, immediately adjacent to the existing Lathrop Intermodal Terminal, and with direct access from Roth Road or access on Airport Way approximately 2500 feet from Roth Road and over a mile to Lathrop Road. Given that both projects are dedicated to the handling of cargo transported by trucks and sit right next to each other, the EIR needs to explain why 64% of the project traffic is forecast to travel away from the nearest freeway in peak hours in contradiction to its own observed traffic counts.</p>	-22
22.	Page 3.12-56 – The EIR states that Master Plan use applicants should contribute fair-share funding toward the cost of installing traffic signals at the I-5 Northbound Ramps/Roth Road and I-5 Southbound Ramps/Roth Road intersections. The Transportation Impact Study then suggests at Page 58 that “the fair share is 10 percent for the CIC and 21 percent for the full Master Plan Buildout.”	<p>As noted above, the Transportation Impact Study appears to significantly underestimate the impact Master Plan traffic will have on Roth Road between Airport Way and I-5, including at the Roth Road/I-5 Interchange. The “fair share” percentage expected from Master Plan use applicants for this and other roadway improvements will therefore need to be revised based upon a reasonable and supportable forecast of the spatial trip distribution of traffic from the Master Plan.</p>	-23

23.	Page 3.12-59 – The EIR states that “Master Plan use applicants should contribute fair share funding (calculated to be 15 percent) toward the following improvements to the Roth Road/Harlan Road intersection...”	As noted above, the Transportation Impact Study appears to significantly underestimate the impact Master Plan traffic will have on Roth Road between Airport Way and I-5, including at the Harlan Road/Roth Road intersection. The “fair share” percentage expected from Master Plan use applicants for this and other roadway improvements will therefore need to be revised based upon a reasonable and supportable forecast of the spatial trip distribution of traffic from the Master Plan.	-24
24.	Page 3.12-66 – The EIR discusses the Master Plan Area project entrances and the segment of Roth Road fronting the Master Plan Area.	The EIR does not discuss the details of these intersections, including whether turn lanes will be included or whether they will be signalized, etc.. The FEIR should analyze the amount of traffic which will utilize these major entrances, the impacts these entrances will cause to traffic on Roth Road and on the relocated Lathrop Intermodal Terminal Driveway. The EIR notes that the “number of access points, combined with a lack of specifics regarding onsite circulation (parking lots, truck docks, internal drive aisles, etc.), makes a focused and accurate analysis of project access intersections infeasible at this time.” Given the significance of these project entrances, deferring this analysis to some future review makes the EIR’s analysis of the project’s impacts to Roth Road, at least along the project frontage, incomplete and uncertain. In addition, the EIR notes that that traffic on Roth Road would increase significantly under cumulative conditions, including, for instance, from an ADT of 14,800 without the project to 19,200 after full Master Plan Buildout on Roth Road west of the Lathrop Intermodal Terminal Driveway. Yet there is no analysis in the EIR of the impacts of the project to the LOS on any segment of Roth Road under cumulative conditions. The FEIR should analyze the impacts of the project on the LOS on Roth Road under cumulative conditions. The EIR notes that “right-of-way should be dedicated to provide an ultimate four-lane arterial plus a median or center turn pocket” on Roth Road/project frontage” and that “widening for capacity-enhancing purposes is not necessary in the near term.” Given that the CenterPoint Manteca project fronts Roth Road, has planned two major entrances on Roth Road and could have a major (unstudied) impact on the LOS on Roth Road under cumulative conditions, the Transportation Impact Study should include this impacts analysis. The Master Plan applicants should be required to contribute an equitable fair share percentage of fees towards any necessary Roth Road improvements identified by this analysis.	-25
25.	Page 3.12-67 – The EIR discusses the two at-grade crossings on Roth Road over both the Oakland Subdivision and Fresno Subdivision. The EIR also states that the UP submitted an application to U.S. Department of Transportation for federal funding for its proposed expansion of the Lathrop Intermodal Terminal and that “the application includes a funding request for grade separating Roth Road from the Oakland Subdivision via a two lane overcrossing.”	The UP notes that is application to the Department of Transportation was not granted and the UP is unaware of any programmed funding for a grade separation on Roth Road over either the Oakland or Fresno Subdivision. The UP has proposed that a grade separation over the Oakland Subdivision be studied in its expansion project EIR as a project alternative and/or as a potential measure to mitigate traffic impacts from its project, the Northwest Airport Way Master Plan and other area uses. The UP has made no commitments regarding such a grade separation and, as a regional improvement, notes that any such project would be a collaborative effort between the UP, the San Joaquin Partnership, the County, other participating State and local agencies, including the City of Lathrop, City of Manteca and San Joaquin Council of Governments, and other area developers, including developers within the Northwest Airport Way Master Plan, and the public. Finally, the UP notes that the EIR appears to significantly underestimate the traffic the Master Plan Area uses would generate along this segment of Roth Road for the reasons noted above and fails to study the impact the Master Plan would have on either of these at-grade crossings under cumulative conditions. The EIR should include this analysis based upon a reasonable and supportable forecast of the Master Plan’s impacts to this segment of Roth Road. And, the Master Plan applicants should accordingly be required to contribute an equitable fair share percentage of fees towards any necessary improvements identified by this analysis.	-26



26.	Table 4-1 – The EIR incorrectly states that the UP proposes to increase the lift capacity of the Lathrop Intermodal Terminal by 135,000 lifts in Phase I. Table 4-1 also states that a grade separation of Roth Road from the Oakland Subdivision has been “proposed.”	UP is actually proposing to increase lift capacity by 130,000 lifts during Phase I of its expansion project. As noted above, the UP has not “proposed” a grade separation of Roth Road from the Oakland Subdivision.	-27
27.	Exhibit 2-8, 2-9 – Roads “F”, “A”, “I” are not labeled on the Exhibits	The FEIR should include an exhibit clearly labeling all internal access roads and driveways.	-28
28.	Page 3.12.13 – Oakland Subdivision. The EIR states that “The rail line forms the western boundary of the Master Plan area and South non-Master Plan annexation area.”	This statement is incorrect. The statement should indicate that the UP’s eastern property line forms the western boundary of the Master Plan area.	-29
29.	Exhibit 3.2-1 – Important Farmland	The northwest corner of the Master Plan area boundary is incorrect as depicted on this exhibit and should be revised per the current UP site plan.	-30
30.	Table 4-1 – The EIR states that Phase I of the Lathrop Intermodal Terminal Modernization Project “would increase capacity by 135,000 annual lifts by adding 1425.5 acres...”	1425.5 acres should be 142.5 acres.	-31
31.	Exhibit 2-13 - Master Plan Utility Plan - South San Joaquin Irrigation District Facilities.	Exhibit 2-13 depicts several irrigation laterals that are indicated in the drainage discussion as being modified or used for drainage. It should be noted that if any of these pipes need to be upsized, the applicant should coordinate with UP on the replacement of the portion of the laterals running under the UP yard. UP has no plans to use these laterals for drainage, and therefore has no plans to upsize or otherwise disturb the pipes running under the existing intermodal yard.	-32
32.	Exhibit 2-3B - Site Photographs, Master Plan Area	Photos 5 & 8 show properties that are not a part of the Master Plan area.	-33
33.	Exhibit 2-9 - Master Long-Term Circulation Plan	This plan shows a new signalized intersection on Lathrop Road, in close proximity to an existing unsignalized intersection directly to the west. It does not appear that the DEIR has considered potential impacts to the existing entrance. The FEIR should analyze impacts to the existing intersection and provide mitigation measures for those impacts.	-34



**Barry Shotts (SHOTTS)**

*Response to SHOTTS-1*

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

*Response to SHOTTS-2*

The author provided information about the Union Pacific Lathrop Intermodal Terminal, including the status of the planned expansion of the facility. No response is necessary.

*Response to SHOTTS-3*

The author noted that the proposed Northwest Airport Way Master Plan and Lathrop Intermodal Terminal expansion are separate projects undergoing separate CEQA review, but noted that the two projects will interface with each other. No response is necessary.

*Response to SHOTTS-4*

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

*Response to SHOTTS-5*

The author stated that various exhibits in the Draft EIR (e.g., Exhibits 2-2, 2-4, 2-5, 2-6, and 2-7) incorrectly depict the Master Plan boundaries, as well as the characteristics of the proposed Lathrop Intermodal Terminal expansion project.

All exhibits contained in the Draft EIR reflect the project boundaries shown in the most recent version of the Northwest Airport Way Master Plan. The City of Manteca acknowledges that Union Pacific is in the process of pursuing lot line adjustments for properties it acquired for the Lathrop Intermodal Terminal expansion project; therefore, the Master Plan boundaries may have changed since the release of the Draft EIR on August 2, 2010. Ultimately, the Master Plan will be revised to depict the final boundaries of the plan.

In all cases, the Master Plan boundaries shown in the Draft EIR reflect the largest possible area that could be included in the Master Plan. The lot line adjustments being pursued by Union Pacific would reduce the acreage of the Master Plan area. As such, this indicates that the Draft EIR provides a conservative evaluation of Master Plan impacts.

*Response to SHOTTS-6*

The author stated that the proposed private road entrance “F” shown on Roth Road would be within 300 feet of the relocated entrance to the Union Pacific facility. The author stated that the applicant should be conditioned to coordinate the location and type of intersection of private road entrance “F” with Union Pacific and San Joaquin County to ensure continuity between the two project entrances in the interim and final buildout scenarios.

The City of Manteca concurs with this suggestion and will coordinate with Union Pacific and the County of San Joaquin to ensure that private road entrance “F” is appropriately located.

*Response to SHOTTS-7*

The author stated that Union Pacific has proposed that the Roth Road grade separation with the Oakland Subdivision be studied in the Lathrop Intermodal Terminal EIR as a project alternative or as a potential measure to mitigate traffic impacts from its project and other pending and approved projects. The author noted that Union Pacific has made no commitments regarding such a grade separation and, as a regional improvement, the railroad notes that any such project would be a collaborative effort between various agencies and private parties, including the Union Pacific, the City of Manteca, the City of Lathrop, the County of San Joaquin, and the Northwest Airport Way Master Plan applicants.

The Draft EIR's discussion of the proposed grade separation is consistent with the author's comment. The City of Manteca concurs that the proposed grade separation is a regional transportation improvement and will participate with the various parties to plan and implement this improvement.

*Response to SHOTTS-8*

The author stated that the Transportation Impact Study may have underestimated or not analyzed traffic impacts to certain sections of the local roadway network, based upon its assumed forecast of spatial trip distribution and for other reasons. The author stated that any such errors are likely to have propagated similar errors in the air quality and health effects analyses given the significance played by vehicle emissions. The author asserted that the Final EIR should update the air quality and health effects analyses once any errors in the traffic analysis have been corrected.

As will be explained in Responses to SHOTTS-12 through SHOTTS-20 (as well as Master Response 1 and Master Response 2), the trip generation and trip distribution assumptions are based on reasonable assumptions and the best available information. Therefore, there is no basis to revise the air quality and health effects analyses as suggested by the author.

*Response to SHOTTS-9*

The author stated that Exhibit 7 contained in the Delineation of Jurisdictional Waters and Wetlands in Appendix D, depicts areas that are no longer part of the Master Plan area/project and are instead included within Union Pacific's Lathrop Intermodal Terminal Expansion project, namely, portions of property held by RCCI and portions of property held by CenterPoint and Cardoza. The Master Plan area is depicted correctly at Exhibit 3.8-1 of the EIR. A note of this should be made in the EIR to avoid confusion.

As explained in Response to SHOTTS-5, the City of Manteca acknowledges that Union Pacific is in the process of pursuing lot line adjustments for properties it acquired for the Lathrop Intermodal Terminal expansion project; therefore, the Master Plan boundaries shown on various exhibits (including Exhibit 7 in the Delineation of Jurisdictional Waters and Wetlands) may not reflect the most current boundaries.

Regardless, the boundaries shown in Exhibit 7 are larger than what will be the final boundaries of the Master Plan and indicate that the Draft EIR provides a conservative evaluation of Master Plan impacts.

Finally, the City of Manteca understands that Lathrop Intermodal Terminal Expansion EIR will evaluate the potential for impacts to jurisdictional waters and wetlands and acknowledges that it is possible that different conclusions may be reached concerning the jurisdictional status of features within the Union Pacific project boundaries. However, until that analysis is available, it would be speculative to make any further statements.

***Response to SHOTTS-10***

The author stated that isolated settling ponds ISB1, ISB2, ISB3, ISB4, ISB5, and ISB7 associated with the Cal Supreme Cheese Factory are not within the Master Plan area as depicted in Exhibit 7 in Appendix D, but are within the area being acquired by the Union Pacific for its Lathrop Intermodal Expansion Project. The author stated that these settling ponds have been observed to be dry and no evidence of aquatic resources has been detected during the Union Pacific's due diligence; therefore, there is no evidence to suggest that these areas would be subject in any way to CDFG jurisdiction.

The Jurisdictional Delineation concluded that only one of the settling ponds appears to support aquatic resource (ISB6) and the others (ISB1, ISB2, ISB3, ISB4, ISB5, and ISB7) did not. However, because of access issues at the time of the survey, CDFG jurisdictional status of all the ponds could not be positively confirmed.

As noted in Response to SHOTTS-9, the City of Manteca acknowledges that different conclusions may be reached concerning the jurisdictional status of features within the Union Pacific project boundaries. However, until that analysis is available, it would be speculative to make any further statements.

***Response to SHOTTS-11***

The author stated that the ditch that was found to be flowing in field visits in the summer of 2009, and it was therefore determined that Drain 3 carried a relatively permanent flow. However, those flows would have been irrigation runoff; therefore, Drain 3 would be classified as an irrigation ditch during the irrigation season. The author noted that during the irrigation offseason, Drain 3 would be classified as a drainage ditch that presumably only carries a flow during and shortly after a rainfall, (i.e., it does not carry a relatively permanent flow of water). The author asserted that Drain 3 should be exempt from Section 404 of the Clean Water Act, because it functions as an exempt irrigation ditch in the summer and an exempt drainage ditch in the winter and would not be subject to CDFG jurisdiction. The author recommends that the EIR consultant coordinate with South San Joaquin Irrigation District regarding the exempt status of Drain 3.

The conclusions regarding the jurisdictional status of Drain 3 reflect that it (1) conveys flows that originate in the Stanislaus River and (2) exhibits indirect surface connectivity to the San Joaquin

River, which has been designated a Traditionally Navigable Water by the United States Army Corps of Engineers (USACE) Sacramento District. Note that Michael Brandman Associates consulted with South San Joaquin Irrigation District about Drain 3 during the preparation of the Jurisdictional Delineation.

Regarding the author's comment about irrigation ditches being exempt from Section 404 of the Clean Water Act, the exemption applies to maintenance activities. This exemption does not apply to culverting, re-routing, or other significant modifications to such features. Furthermore, the exemption provision has no bearing on whether a feature is a jurisdictional tributary.

Note that the USACE will make the final jurisdictional determination about the status of the resource. Once the USACE makes the determination, landowners including adjacent landowners may appeal the administrative decision.

As for CDFG jurisdiction, the Jurisdictional Delineation for the project clearly establishes that the drainage has both bank and bed and has flows at least "periodically," which are the criteria for jurisdiction under Fish and Game Code Sections 1600-1616. Furthermore, the Jurisdictional Delineation documents that water in the stream supports obligate plants, which are almost exclusively found in wetlands (streams), and clearly differentiates the resource from surrounding upland areas.

As noted in Response to SHOTTS-9, the City of Manteca acknowledges that different conclusions may be reached concerning the jurisdictional status of features within the Union Pacific project boundaries. However, until that analysis is available, it would be speculative to make any further statements.

#### *Response to SHOTTS-12*

The author stated that the observed count at the Lathrop Intermodal Terminal Driveway of 2,400 average daily trips (ADT) in May 2009 is greater than the average count of 1,848 ADT as collected by Union Pacific over a one-year period.

The Union Pacific traffic counts were not available to Fehr & Peers or the City of Manteca at the time the traffic analysis was prepared. As such, Fehr & Peers collected traffic counts at the Lathrop Intermodal Terminal driveway on May 27 and 28, 2009. The May 27 counts indicated 2,362 ADT and the May 28 counts indicated 2,447 ADT. Each day's observation was within 2 percent of the average value of 2,400 ADT. It is acknowledged that seasonal fluctuations in the demand for goods movement may affect travel at this driveway.

The City of Manteca understands that Lathrop Intermodal Terminal Expansion EIR will evaluate traffic impacts and will likely include traffic counts at the terminal facility driveway. As such, it is possible that different ADT figures may be identified in that EIR. However, until that analysis is available, it would be speculative to make any further statements.

*Response to SHOTTS-13*

The author asserted that the Draft EIR incorrectly identifies the existing capacity of Lathrop Intermodal Terminal as being 250,000 annual lifts on page 3.12-21. The author noted that Union Pacific is seeking the expanded the capacity of the facility to 400,000 annual lifts in Phase I and 730,000 annual lifts in Phase II. The author suggested that the Draft EIR misidentified the Phase II annual lift capacity as 750,000.

Page 3.12-21 states that the Lathrop Intermodal Terminal “currently operates 250,000 annual lifts,” which is based on information contained in Union Pacific Railroad’s 10-K Annual Report for 2009. This statement does not mention “capacity”; rather, it simply references the most recent information regarding annual lifts performed at the Lathrop Intermodal Terminal. Thus, the statement is correct and does not need to be revised.

The author also appears to have confused a statement on page 3.12-21 about the CenterPoint Elwood facility’s annual lift figure (750,000) with the Phase II capacity of the Lathrop Intermodal Terminal. As such, no revisions are necessary to this statement.

*Response to SHOTTS-14*

The author requested that additional detail be provided as to how the logistics/industrial space component of the Elwood, Illinois facility generated 9,600 ADT as described in page 3.12-22.

Data collected at the Elwood facility in 2007 revealed that the site generated 13,875 external ADT. Using a slightly adjusted annual lift-to-ADT ratio from the Lathrop Intermodal Terminal, the Elwood Intermodal Facility was estimated to generate approximately 6,400 gross (pre-internalization) ADT with approximately 1,080 truck trips being internalized with the adjacent logistics/industrial space. The external trip generation of the CenterPoint Elwood Intermodal Facility would then be 5,360 ADT (6,440 minus 1,080). Since the external total trip generation is 13,875 ADT, this implies that the logistics/industrial space component is 8,515 ADT (13,875 minus 5,360). Since the internalized truck trips have an origin/destination in the logistics/industrial space, its gross trip generation is approximately 9,600 ADT (8,515 external ADT plus 1,080 internal truck trips), which is shown on page 3.12-22.

*Response to SHOTTS-15*

The author referenced a statement on page 3.12-22 about Union Pacific proposing to triple its existing lift capacity at the Lathrop Intermodal Terminal and asserted that it was incorrect because the railroad is increasing its lift capacity by 2.7 times and not 3 times. The author reiterated previous comments about traffic counts at the Lathrop Intermodal Terminal driveway and asserted that a separate traffic analysis will be performed as part of the EIR for the Lathrop Intermodal Terminal Expansion project.

The statement on page 3.12-22 about a “three-fold increase” in annual lifts at the Lathrop Intermodal Terminal involved the rounding of 2.7 to 3 for simplicity purposes. The accompanying text that noted that this would equate to 7,200 daily trips (2,400 x 3) was presented in the context of how the

CenterPoint Intermodal Facility would have the potential of internalizing trips associated with the Lathrop Intermodal Terminal. This figure was not used in any other aspect of the traffic analysis; therefore, the use of this figure does not have any material bearing on any conclusions contained in the Draft EIR.

*Response to SHOTTS-16*

The author stated that the Draft EIR appears to underestimate the number of trips that would be internalized under cumulative conditions. The author requested that additional information be provided justifying the use of the 20-percent assumption for internalization.

Table 3.12-8 shows 425 internal truck trips between CenterPoint and Lathrop Intermodal Terminal under existing plus project conditions, and 850 internal truck trips under cumulative conditions. Although one may logically expect that a 2.7-fold increase in the size of the Lathrop Intermodal Terminal would result in a commensurate increase in internal trips under cumulative conditions, this is not the case, because the CenterPoint project becomes the land use that limits internal trip interactions. Table 3.12-8 assumes 850 of 4,420 gross CenterPoint trips are internalized, which is 19 percent of all trips and an even higher percentage of truck trips. Greater levels of internalization could not be justified. ITE's Trip Generation Handbook (2004) contains a thorough discussion of how to determine when one land use versus another is the limiting factor in terms of estimating internal trips.

*Response to SHOTTS-17*

The author suggested that the CenterPoint project may comprise greater than 53 percent trucks on a daily basis because as much as 93 percent of the space may be high cube warehouse. The author requested further explanation about this figure.

Data from the Elwood, Illinois facility was used as the basis for this calculation. As noted previously, the Elwood intermodal terminal was calculated to generate 4,885 truck trips. The entire Elwood facility was measured to generate 9,400 external truck trips (68 percent of 13,875 ADT). This implies that the logistics/industrial space at Elwood would generate 4,515 external truck trips, which is 53 percent of its external trip generation of 8,515 ADT (as calculated in response to comment 14). A similar exercise was performed to establish AM and PM peak-hour truck percentages.

When compared with other studies and resources, the assumed truck percentages in this Draft EIR may actually be overly conservative. In March 2009, Fehr & Peers conducted a vehicle classification count during the PM peak hour at the Spreckels Business Park located in Manteca. Trucks represented 13 percent of the total inbound/outbound demand for the nine business/industrial park/distribution center driveways on Spreckels Avenue. The Lathrop Gateway Business Park Draft EIR (2010) evaluated a mix of uses similar to the proposed project and assumed 10 percent heavy vehicles during peak hours (see page 18-14). Lastly, ITE's Trip Generation (2008) indicates that trucks comprise between 9 and 29 percent of trips generated by high-cube warehousing uses. Table



3.12-8 shows that the CenterPoint project is assumed to comprise 42 percent trucks during the AM peak hour and 29 percent trucks during the PM peak hour, which are higher values than those identified any of the three aforementioned documents.

*Response to SHOTTS-18*

The author suggested that a reasonable level of internalization should have been assumed between the Lathrop Intermodal Terminal and the non-CenterPoint light industrial/high cube warehouse uses similar to what was done with the CenterPoint uses.

No internal trips between the Lathrop Intermodal Terminal and non-CenterPoint light industrial/high cube warehouse uses were assumed because of the uncertainty about end uses and tenants. Although it would be expected that there would be some internal trips between the non-CenterPoint light industrial/high cube warehouse and the Lathrop Intermodal Terminal, there was no information available to allow a reasonable estimation of this activity; thus, it was deemed speculative to make this assumption.

*Response to SHOTTS-19*

The author reiterated prior comments about the percentage of truck trips and questioned the assumptions used in the traffic analysis regarding the anticipated directionality of CenterPoint trips to/from the west toward I-5.

Trip distribution is addressed in Master Response 2.

*Response to SHOTTS-20*

The author reiterated comments regarding the anticipated directionality of CenterPoint trips and stated that the traffic analysis appears to understate the amount of traffic that would use Roth Road. The author stated that the underestimation of Roth Road trips would result in underreporting of impacts and necessary mitigation along this facility.

Trip distribution is addressed in Master Response 2. As indicated in that Master Response, the trip distribution assumptions are reasonable and based on the best available information; therefore, there is no evidence that the Draft EIR understates impacts and mitigation responsibility on Roth Road.

*Response to SHOTTS-21*

The author reiterated comments regarding the anticipated directionality of Master Plan trips, and how they affect intersection analysis results and fair-share traffic calculations.

Trip distribution is addressed in Master Response 2. As indicated in that Master Response, the trip distribution assumptions are reasonable and based on the best available information; therefore, there is no evidence that the Draft EIR understates impacts and mitigation responsibility.

*Response to SHOTTS-22*

The author reiterated comments regarding the anticipated directionality of Master Plan trips, and how they affect intersection analysis results, and fair share traffic calculations.

Trip distribution is addressed in Master Response 2. As indicated in that Master Response, the trip distribution assumptions are reasonable and based on the best available information; therefore, there is no evidence that the Draft EIR understates impacts and mitigation responsibility on Roth Road.

*Response to SHOTTS-23*

The author reiterated comments regarding the anticipated directionality of Master Plan trips, and how they affect intersection analysis results, and fair share traffic calculations.

Trip distribution is addressed in Master Response 2. As indicated in that Master Response, the trip distribution assumptions are reasonable and based on the best available information; therefore, there is no evidence that the Draft EIR understates impacts and mitigation responsibility.

*Response to SHOTTS-24*

The author reiterated comments regarding the anticipated directionality of Master Plan trips, and how they affect intersection analysis results, and fair share traffic calculations.

Trip distribution is addressed in Master Response 2. As indicated in that Master Response, the trip distribution assumptions are reasonable and based on the best available information; therefore, there is no evidence that the Draft EIR understates impacts and mitigation responsibility.

*Response to SHOTTS-25*

The author stated that access along the Roth Road frontage should have been analyzed in the Draft EIR and inquired why the segment of Roth Road fronting the Master Plan area was not analyzed in the DEIR.

Exhibit 2-8 shows that CenterPoint Intermodal Facility would have two accesses on Roth Road and 11 accesses on Airport Way. This exhibit further notes the uncertainty of the need for and location of several internal roadways. Accordingly, Mitigation Measure TRANS-4b is proposed requiring the City of Manteca to perform access evaluations for each Master Plan uses that will consider factors such as the need for signals, turn lanes, and deceleration lanes at driveways. As such, the Draft EIR recognized that access will need to be evaluated in further detail at the site plan review stage.

The analysis of Roth Road focused on intersections instead of segments because intersection operations are particularly important on corridors that feature significant numbers of heavy vehicles, due to their substantial acceleration/deceleration requirements. Furthermore, evaluating intersections is a standard requirement of both the City of Manteca and the City of Lathrop.

*Response to SHOTTS-26*

The author reiterated previous comments about the proposed Roth Road grade separation and its relationship to the Lathrop Intermodal Terminal Expansion. The author stated that the Draft EIR appears to significantly underestimate traffic generated by the Master Plan uses on Roth Road and, therefore, fails to study the impact to the at-grade railroad crossings on this facility. The author stated that the Draft EIR should include this analysis and the Master Plan applicants should be required to contribute to an equitable fair-share percentage of fees towards necessary improvements.

The Draft EIR evaluated railroad grade crossing safety impacts in Impact TRANS-4, and found that impacts would be less than significant. As such, there is no legal basis for requiring mitigation.

As indicated in Master Response 1, the trip generation assumptions used in the Draft EIR's traffic analysis are reasonable and are based on the best available information.

For these reasons, there is no need to revise the Draft EIR's analysis as proposed by the author.

*Response to SHOTTS-27*

The author stated that Table 4-1 incorrectly indicates that Union Pacific is proposing to increase lift capacity at the Lathrop Intermodal Terminal by 135,000 lifts in Phase I and noted the correct figure is 130,000 lifts. The author also stated that Table 4-1 incorrectly identifies the Roth Road grade separation as "proposed."

Table 4-1 has been revised to provide the correct lift figure. The change is noted in Section 5, Errata.

As acknowledged by the author in Comment SHOTTS-7, the Lathrop Intermodal Terminal Expansion Project EIR will evaluate the proposed Roth Road grade separation as a project alternative or mitigation measure. As such, it is a "proposed" project in that it is being considered, but no final decisions have been made about implementation. Thus, identifying the proposed Roth Road grade separation as "proposed" is appropriate and no revisions are necessary.

*Response to SHOTTS-28*

The author stated that the Final EIR should contain an exhibit clearly labeling all internal access roads and driveways.

Exhibits 2-8 and 2-9 in the Draft EIR identify all internal access roads and driveways that are contemplated at the time of this writing. As indicated in the notes on both exhibits, the locations of certain internal roadways and access points will be reviewed at the time of site plan review for the various Master Plan uses. As such, the Draft EIR acknowledged that the precise locations of certain facilities have not been determined at this time.

As previously noted, Mitigation Measure TRANS-4b is proposed requiring the City of Manteca to perform access evaluations for each Master Plan uses that will consider factors such as the need for

signals, turn lanes, and deceleration lanes at driveways. As such, the Draft EIR recognized that access will need to be evaluated in further detail at the site plan review stage.

*Response to SHOTTS-29*

The author indicated that a statement on page 3.12-13 about the Union Pacific Oakland Subdivision forming the western boundary of the Master Plan area and South non-master plan area is incorrect. The author indicated that the statement should be revised to state that Union Pacific's eastern property line forms the western boundary of the Master Plan area.

Page 3.12-13 has been revised to clarify the relationship between the Oakland Subdivision and the Master Plan area. This change is noted in Section 5, Errata.

*Response to SHOTTS-30*

The author indicated that the Master Plan boundaries are incorrectly depicted on Exhibit 3.2-1.

Refer to Response to SHOTTS-5.

*Response to SHOTTS-31*

The author indicated that Table 4-1 incorrectly identifies the acreage of Phase I of the Lathrop Intermodal Terminal Expansion as "1425.5." The author stated that the correct figure is "142.5."

Table 4-1 has been revised to provide the correct acreage figure. This change is noted in Section 5, Errata.

*Response to SHOTTS-32*

The author referenced the South San Joaquin Irrigation District drainage facilities shown in Exhibit 2-13 and stated that it should be noted that the Master Plan applicant will need to coordinate with Union Pacific on the replacement of the portion of the laterals running under the Lathrop Intermodal Terminal. The author advised that Union Pacific has no plans to use these laterals for drainage and, therefore, would not modify them as part of the Lathrop Intermodal Terminal Expansion.

This comment is noted.

*Response to SHOTTS-33*

The author stated that Photos 5 and 8 in Exhibit 2-3b show properties that are not a part of the Master Plan.

Photos 5 and 8 are intended to depict the southern portion of the Master Plan area and show portions of properties that are not within the Master Plan area. However, this does not invalidate the purpose of the photos, which is to provide the reader with visual images of the existing land use characteristics of the Master Plan area and neighboring properties. As such, no changes are necessary.

*Response to SHOTTS-34*

The author referenced Exhibit 2-9 and stated that it shows a new signalized intersection on Lathrop Road. The author stated that it does not appear that the Draft EIR evaluated potential impacts to either the existing unsignalized intersection or proposed signalized intersection on Lathrop Road.

This issue was addressed in Responses to CANTU-2 through CANTU-4.



## SECTION 4: RESPONSES TO PLANNING COMMISSION MEETING COMMENTS ON THE DRAFT EIR

### 4.1 - Introduction

The City of Manteca solicited public comments on the Manteca Northwest Airport Way Master Plan Draft Environmental Impact Report (Draft EIR) (State Clearinghouse No. 2010022024) on Tuesday, August 24, 2010 at a Planning Commission meeting at Manteca City Hall. Comments were provided in oral form and summarized in the meeting minutes. Although the City of Manteca is not obligated to respond to oral comments by the California Environmental Quality Act (CEQA), the City has nonetheless elected to respond to the comments made at the meeting in order to address concerns and questions related to the evaluation of the proposed project's environmental impacts in the Draft EIR. These written responses become part of the Final EIR for the project in accordance with CEQA Guidelines Section 15132.

This section is organized as follows:

- **Section 4.1 - Introduction:** Provides an overview of the section.
- **Section 4.2 - List of Speakers:** Provides the list of individuals who provided comments at the Planning Commission hearing.
- **Section 4.3 - Minutes of the Planning Commission Hearing.**
- **Section 4.4 - Responses to Planning Commission Hearing Comments:** Provides responses to all applicable comments on the Draft EIR.

### 4.2 - List of Speakers

A list of the speakers who provided comments on the Draft EIR at the Manteca Planning Commission hearing is presented below in order in which testimony was provided.

Norman Hauser  
Bill Barnhart  
Patricia Lamar  
Nels Overgaard  
Clinton Lamar

### 4.3 - Planning Commission Meeting Minutes

The August 24, 2010 Manteca Planning Commission Meeting Minutes are reproduced on the following pages.





**MINUTES OF THE PLANNING COMMISSION  
MEETING HELD AUGUST 24, 2010**

The meeting of the Manteca City Planning Commission held on Tuesday, August 24, 2010, was called to order by Chairman Morowit at 7:00 p.m.

**COMMISSIONERS PRESENT:** Bobby Shaw, Kirk Dall, Mike Morowit, Eric Hayes and Mark Abram

**COMMISSIONERS ABSENT:** None

**STAFF PRESENT:** Mark Meissner, Planning Manager; Rochelle Henson, Senior Planner; Lisa Schimmelfennig, Administrative Assistant III and Kelly Orlandi, Administrative Assistant III.

**MINUTES:**

COMMISSIONER HAYES MOTIONED WITH COMMISSIONER SHAW SECONDING TO APPROVE THE MINUTES FROM AUGUST 10, 2010. MOTION CARRIES 5-0.

**MEMBERS OF THE PUBLIC:**

None

**AGENDA MODIFICATIONS:**

None

**PUBLIC HEARINGS:**

**6.1 Continue the Public Hearing to consider adoption of the Multimodal Station Initial Study and Mitigated Negative Declaration to the next regularly scheduled meeting of September 14, 2010.**

Mark Meissner explained to the Planning Commission that the project manager was not ready to make a presentation on this item and she requested that this item be continued to the next scheduled meeting of September 14, 2010. But due to this item being a public hearing, the Planning Commission would still need to open this up to public comment.

**OPEN PUBLIC COMMENT**

None

**OTHER SCHEDULED ITEMS:**

**7.1 Public comment meeting on the Draft Environmental Impact Report for the Northwest Airport Way Master Plan Project SCH #2010022024.**

Rochelle Henson began by introducing Grant Gruber and Jason Brandman who are from Michael Brandman & Associates, the environmental consultants for this project.

Grant Gruber explained the two separate components, the Northwest Airport Way Master Plan and the Non-Master Plan Annexations. He then briefly went over the infrastructure and supporting uses, he identified the required approvals for the Master Plan and Non-Master Plan Annexations, explained the CEQA process and milestones. Currently, we are holding the public comment meeting on the Draft EIR and the end of the public review period is September 15, 2010 in which all of the questions and concerns will have been addressed. Lastly, he explained the Draft Environmental Impact Report summary, the mitigation measures and the next steps in this entire process.

**QUESTIONS OF STAFF:**

Commissioner Dall wanted staff to explain what the process was regarding the property owners and how they get to vote on the annexation. Rochelle Henson said that within the Master Plan areas, the City has signatures of the majority of the property owners agreeing to the annexation. Regarding the Non-Master Plan areas, the City has to go through a process with the San Joaquin County Local Agency Formation Commission (LAFCo) to get their properties annexed.

Commissioner Dall then asked how LAFCo votes on this annexation, whether it was a unanimous vote or 50% vote. Mark Meissner said that he believes it is a majority vote.

Commissioner Dall asked how many jobs this would bring to the city at final build out. Grant Gruber from Michael Brandman & Associates said it would bring 2,588 to be exact.

Chairman Morowit asked how long it would take to get to final build out. Rochelle Henson said approximately 15 years, depending on the market.

Commissioner Hayes asked about the Non-Master Plan properties that aren't inhabited if they would have the same rights as those inhabited. Some of these properties are in rural areas and could have animals. Would they be able to continue to have them? Rochelle Henson said that if the County is allowing the usage currently, then the City would too. There may be some legal non-conforming issues, but they would be able to continue what they are doing.

Commissioner Hayes asked if the property is used as residential at this point, if the zoning changes will they have the same rights as those inhabited. Mark Meissner said that at the time of annexation, the City will do an inventory of what they have on the property. If they wanted to do something against the current usage, they may not be able to expand but will be able to continue with what they have.

#### OPEN PUBLIC COMMENT

Norman Hauser – 2499 Apple Leaf Lane: Regarding the conversation on the properties being annexed in with legal non-conforming issues that will be grandfathered in, will the property owners be able to sell their homes with the same rights as before, or will the rights be terminated and will it lower the value of their home. Regarding the EIR, he already hears the cargo handling noise already and knows it will increase when this gets built out. He asks that the City look into the noise levels since the sheer volume will be much greater in the future. Lastly, regarding the number of jobs this project will bring, do the 2,588 jobs include all the jobs that will be taken out of the loop from the different truck and supply jobs that will no longer be needed? He has lots of information on emissions but those will be submitted in writing.

Bill Barnhart – 1325 Maple Valley Street: His concerns are regarding the noise, pollution and traffic that will increase in the area. He lives in Del Webb which is a senior living community and he's worried about the speed of the increased truck traffic. Having senior citizens pulling out in front of a speeding truck is extremely dangerous and hopes the City will consider that when making their decision in the future. Lastly, he asked that the City come out and hold a workshop there at Del Webb because there are numerous people that have lots of questions and many that don't know how to navigate online to find what they are looking for.

Patricia Lamar – 15609 Airport Way: She is part of the Non-Master Plan area and hoped to be able to raise her children around animals. She is confused because when she called to get information, she was told she could keep her animals, but tonight she is being told that she could keep what she has but will not be allowed to get any new animals. If they are to be annexed into the city, they would lose the rights and freedoms they previously had.

Nels Overgaard – 2423 Bell Chase Drive: He had read an article in the newspaper regarding the potential traffic that will impede on Roth Road, so he took a trip out there and noticed the damage done already by the amount of trucks and heavy tractor trailers and how much worse it will get with



the increased truck traffic. Also, he said that there needs to be proper interchanges off I-5 at Roth Road and French Camp to accommodate the trucks because the one we currently have probably can't handle the load. He asked that we restrict the truck routes to Roth Road and French Camp because it is more rural and try to keep them from coming up Airport where all the vehicle traffic is. Especially at the railroad crossing on Airport Way where all the vehicle traffic is. As it is, traffic gets backed up half of a mile, but just imagine how bad traffic would be with the increased load coming off I-5.

Clinton Lamar – 15609 Airport Way: He is concerned regarding the traffic coming up Airport Way. The speed limit is 40 mph, but trucks go 60 mph on a regular basis and he can't ever get Police Department to come out and patrol the area. He said there have been several accidents at Airport and Northgate already. He also has concerns about the comment City Staff made about taking inventory of what animals they have currently. Is City Staff going to write this down so that in two years when he raises a new pig for 4-H, will he be cited if a neighbor complains? His last concern was regarding how his Non-Master Plan property will be zoned after annexation. Who decides? If his property is zoned Commercial/Industrial and he plans improvements with his residence, will it be hard to get the permits he needs? What happens when he wants a pool, or build a 2-car garage or a deck or make any kind of improvements on his house? Does his property get zoned his way, or the City's way?

**CLOSE PUBLIC COMMENT**

**QUESTIONS OF STAFF:**

Commissioner Hayes said that he knows that tonight's meeting is just the public comment for the Draft Environmental Impact Report (DEIR) and there was lots of discussion of the EIR but when the annexation does come before the City, will there be public hearings at Planning Commission and City Council? Mark Meissner said yes, the item would come before the Planning Commission for the recommendation for approval at City Council and the public is more than welcome to speak at either meeting. Mark Meissner also said that the City will be holding an annexation workshop and have sent notices for August 30<sup>th</sup> at the Senior Center. Everyone is welcome to come and ask any questions they have.


Chairman Morowit said that he encourages everyone to voice their concerns to the Commission or to Staff to make sure they get their questions answered correctly.


**COMMISSIONER COMMENTS:**

None

**ADJOURNMENT:**

This meeting of Tuesday, August 24, 2010 was adjourned at 7:50 p.m. to the next Regular Planning Commission meeting of September 14, 2010 at 7:00 p.m.

  
Secretary

  
Chairman Morowit



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## 4.4 - Responses to Planning Commission Meeting Comments

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### 4.4.1 - Introduction

Responses to comments made at the August 24, 2010 Manteca Planning Commission meeting are addressed through both master responses and individual responses. Master responses are provided in Section 2 of this document.

### 4.4.2 - Responses to Comments

#### **Norman Hauser**

##### *Summary of Testimony*

Mr. Hauser raised concerns regarding continuation of property rights on the properties proposed for annexation. The speaker also expressed concern about noise generated by the existing Union Pacific Lathrop Intermodal Terminal, which he indicated was audible in the Union Ranch subdivision. Mr. Hauser also inquired if the Master Plan job estimate accounted for jobs lost.

##### *Response*

Land use activities on annexed properties are addressed in Master Response 3.

Noise impacts are discussed in detail in Section 3.10, Noise of the DEIR and account for existing and future activities at the Lathrop Intermodal Terminal. As discussed in that section, the proposed project would not cause a significant increase in ambient noise levels in the Union Ranch subdivision. The speaker did not provide any specific comments on this analysis.

The proposed project's employment estimate is based on new jobs created by the proposed project over a 15-year period. The estimate does not attempt to account for job losses, as this is inherently speculative.

#### **Bill Barnhart**

##### *Summary of Testimony*

Mr. Barnhart raised concerns regarding noise, pollution, and roadway safety. The speaker suggested that an earthen berm be considered as a noise attenuation measure. Mr. Barnhart stated that the Union Ranch subdivision may not build out as planned because of adverse impacts from the proposed project. The speaker requested that a workshop be held in the Union Ranch subdivision regarding the proposed project.

##### *Response*

As discussed on pages 3.1-10 through 3.1-13 of the Draft EIR, the Master Plan establishes design standards and guidelines for the Airport Way frontage, which include setbacks, landscaping, and berms. No sound walls are proposed along the Airport Way frontage. As such, the speaker's suggestion that a berm be employed is reflected in the Master Plan.

Air quality, noise, and traffic impacts are discussed in detail in Section 3.3, Air Quality/Greenhouse Gas Emissions; Section 3.10, Noise; and Section 3.12, Transportation, respectively. The speaker did not provide any specific comments on the analysis; therefore, no further response can be provided.

The Draft EIR evaluated potential adverse impacts on surrounding land uses, including the Union Ranch subdivision. Examples of issues evaluated include light and glare, air pollution, noise, and traffic. The speaker did not provide any specific comments on the analysis; therefore, no further response can be provided.

Pursuant to the speaker's request, the City of Manteca held a workshop about the project at the Union Ranch subdivision on Thursday, September 30.

**Patricia Lamar**

*Summary of Testimony*

Ms. Lamar expressed concern regarding continuation of property rights on the properties proposed for annexation.

*Response*

Land use activities on annexed properties are addressed in Master Response 3

**Nels Overgaard**

*Summary of Testimony*

Mr. Overgaard expressed concern about increased truck traffic on Roth Road, French Camp Road, and Airport Way. The speaker also expressed concern about increased delays at railroad grade crossings.

*Response*

Traffic impacts, including intersection operations and railroad grade crossing safety, are discussed in detail in Section 3.12, Transportation. The speaker did not provide any specific comments on the analysis; therefore, no further response can be provided.

**Clinton Lamar**

*Summary of Testimony*

Mr. Lamar expressed concern about truck traffic Airport Way, including excessive speeds and recent accidents at the intersection of Airport Way/Northgate Drive. The speaker also inquired about what types of existing land use activities would be allowed to continue if rural residential properties are annexed into the City of Manteca. Land use activities mentioned included raising of farm animals and future improvements to properties (e.g., a new garage). In addition, Mr. Lamar inquired about whether individual property owners would be able to have their properties zoned to their preferred designation.

*Response*

Traffic impacts, including from truck trips, are discussed in detail in Section 3.12, Transportation.

As indicated in Table 3.12-1 of the Draft EIR, the segment of Airport Way south of Lathrop Road carries approximately 7,600 average daily trips, including an estimated 304 heavy vehicle trips. Most of the project-related trips that would use Airport Way would use the segment between Roth Road and Lathrop Road, as these trips would be headed towards either Interstate 5 or State Route 99. Only a small percentage of trips would travel south past Lathrop Road and through the intersection of Airport Way/Northgate Drive. This serves to indicate that the proposed project would not significantly increase the potential for speeding trucks or accidents to occur on Airport Way south of Lathrop Road.

Furthermore, the Manteca Police Department was consulted about the proposed project's safety impacts. The Police Department did not identify speeding trucks or accidents as issues of concern with the proposed project.

Land use activities on annexed properties are addressed in Master Response 3





## SECTION 5: ERRATA

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

### Section 3.12, Transportation

#### Page 3.12-13, Oakland Subdivision

This passage has been revised to correct a typographical error and clarify the Oakland Subdivision’s relationship to the Master Plan boundaries.

#### **Oakland Subdivision**

The Oakland Subdivision is an east-west, single-track rail line linking the San Francisco Bay Area with the Sacramento Area via Altamont Pass. The Oakland Subdivision hosts both freight trains and passenger trains operated by ACE. ACE trains use the Oakland Subdivision between the Fresno Subdivision Junction and Niles Junction (Fremont).

Within the project vicinity, the Oakland Subdivision is located to the west of both the Master Plan area and non-master plan annexation areas. The rail line and Union Pacific’s property (i.e., the Lathrop Intermodal Terminal) forms the western boundary of the Master Plan area ~~and South non-master plan annexation area.~~

### Section 4, Cumulative Effects

#### Pages 4-1 and 4-2, Table 4-1

Table 4-1 has been revised to show the correct lift capacity and acreage for Phase I of the proposed Lathrop Intermodal Terminal Expansion Project.

**Table 4-1: Cumulative Projects**

Jurisdiction	Project	Characteristics	Location	Status
City of Manteca	Yosemite Avenue Business Park	46,800 square feet warehouse/office	2320 W. Yosemite Avenue	Under construction
	Storage Warehouse	1,738,230 square feet warehouse building	2403 W. Louise Avenue	Under construction
	Water Quality Control Facility	3200 square feet construction (three structures)	2450 W. Yosemite Avenue	Under Construction
	Woodridge Center East	59,900 square feet commercial retail center	2134 N Union Road	Under construction

Table 4-1 (cont.): Cumulative Projects

Jurisdiction	Project	Characteristics	Location	Status
City of Manteca (cont.)	Kaiser Permanente Modular Office	3,434 square feet modular office	1777 W. Yosemite Avenue	Completed
	Union Ranch	1425 units low density residential	14455 N. Union Road	Under Construction
	Union Ranch East	294 units low density residential	2430 N. Union Road	Under construction
	Villa Ticino West	708 units low density residential	495 N. Airport Way	Approved Tentative Map
	Villa Ticino West Apartments	163 units high density residential	495 N. Airport Way	Approved Tentative map
	Fire Station No. 5	New Manteca Fire Department station	1400 block, Lathrop Road	Pending
County of San Joaquin	Union Pacific Railroad Lathrop Intermodal Terminal Expansion	<p><b>Phase I:</b> Increase capacity by <del>130,000</del> <del>135,000</del> annual lifts by adding <del>142.5</del> <del>1425.5</del> acres, constructing 34,092 feet of new track, constructing 24,042 square feet of new buildings, and constructing 222 new container bays.</p> <p><b>Phase II:</b> Increase capacity by 330,000 annual lifts by constructing 29,036 feet of new track and constructing 1,948 new container bays.</p>	1000 E. Roth Road	Pending
City of Lathrop	Lathrop Gateway Business Park	68 acres office/commercial; 190 acres limited industrial; 49 acres service commercial; 77 acres roads and public facilities	W. Yosemite Avenue/State Route 120	Pending
Multiple	Roth Road Grade Separation	Grade separate Roth Road from Oakland Subdivision	Roth Road/Oakland Subdivision	Proposed
Source: City of Manteca, 2010; City of Lathrop, 2010; County of San Joaquin, 2010.				