RECIRCULATED PUBLIC DRAFT MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY

FOR THE

NORTH MAIN COMMONS SUBDIVISION PROJECT

OCTOBER 2018

Prepared for:

City of Manteca 1001 West Center Street Manteca, CA 95337 (209) 456-8511

Prepared by:

De Novo Planning Group 1020 Suncast Lane, Suite 106 El Dorado Hills, CA 95762 (916) 949-3231

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Proposed Mitigated Negative Declaration for the North Main Commons Subdivision Project

Lead Agency: City of Manteca

1001 West Center Street Manteca, CA 95337

Project Title: North Main Commons Subdivision Project

Project Location: The project site is located in the northeast portion of the City of Manteca, southwest of SR-99 and east of North Main Street. It is surrounded primarily by residential uses to the east, and commercial uses to the south, west, and north. There are additional scattered residential uses located to the west and northwest of the project site. The project site totals approximately 30.17 acres and is undeveloped and covered with ruderal grasses. The project site has a gentle slope with elevations ranging from 32 to 33 feet above mean sea level (MSL). The Assessor's Parcel Numbers (APNs) for the project site are 218-100-01 and 218-100-02. A storage facility is located to the south of the project site, and other commercial uses (i.e. a car dealership, a plumbing supply company, and a casino) are located to the east of the project site. The parcel directly to the north of the project site is currently undeveloped and vacant.

Document Recirculation: The Mitigated Negative Declaration was circulated for a statutory 30-day public review from March 2, 2018 to April 2, 2018. Several comments were submitted to the City during the 30-day public review period. The list of comments included a petition from neighbors living along Aksland Drive and the surrounding neighborhood. The issue raised by the petitioners was mainly over traffic concerns, and they requested that the City consider not allowing Aksland Drive to connect to the proposed project, which would ultimately connect to North Main Street. It is noted that the General Plan Circulation Element has always anticipated Aksland Drive connecting to Main Street, which is why the existing design of Aksland Drive is not a cul-de-sac; instead, it is a terminus with barriers. Regardless of this planned roadway extension, the City engaged a traffic engineer to analyze Aksland Drive for a non thru-way road.

The analysis of Aksland Drive as a non thru-way road showed that emergency response times would be increased as fire personnel would be required to stop, exit their emergency vehicle, and unlock the bollards. Under ideal conditions, this can add an additional 60 to 90 seconds to the total emergency response time. During evening or weather conditions, this has the potential to add an additional 60 to 180 seconds to the total emergency response time. Furthermore, because no (0%) of North Main Commons traffic was projected to use Aksland Drive east of the project site, limiting thru access to an emergency vehicle access (EVA) would negatively impact emergency response times to and from the existing neighborhood and Springtime Park. Based on the inconsistency with the General Plan, and the anticipated slower emergency response to citizens along Aksland Drive, the City staff brought the project and petition to the Planning Commission and City Council for their consideration and to provide staff direction. Both the Planning Commission and City Council directed staff and the project applicant to redesign the Aksland Drive component of the project to be an EVA instead of a thru-road as was originally anticipated in the General Plan. As such, this recirculated Initial Study and Mitigated Negative Declaration reflects the modifications to the original project design, to ensure that Aksland Drive does not connect to the proposed project, except through an EVA with bollards.

Additionally, an acoustical analysis (prepared by WJV Acoustics, Inc.) was prepared for the proposed project after the original circulation of the Mitigation Negative Declaration. Therefore, the recirculated Mitigation Negative Declaration has been updated to incorporate the conclusions and recommendations of the acoustical analysis.

Design Revisions: Figure 3 illustrates the design revisions, which does not include the extension of Aksland Drive into the project site. Instead, an EVA with bollards will be installed to allow access only by emergency vehicles from the project site onto Aksland Drive. The road that was originally the Aksland Drive extension within the project site is now an extension of the existing Northgate Drive. Northgate Drive would extend from its existing intersection with North Main Street to the eastern end of the project site, where it intersects with Street D. Northgate Drive would not allow vehicular traffic to flow through to the existing Aksland Drive. Other design revisions include: new ingress/egress access (right-in, right-out turn) from North Main Street located in the southwestern corner of the project site, a reduction in the number of lots (from 158 to 154 lots), and revisions to the property boundaries of some of the lots located along the eastern property boundary of the project site (e.g. enlargement of lot 1).

Project Description: The proposed project includes a General Plan Amendment, Rezone, and a Tentative Subdivision Map that would facilitate the development of up to 154 single family residential lots (with one unit per lot), one park/basin lot, and a surveyed designated remainder lot, on a total of approximately 30.17 acres. The residential portion of the project site is located on approximately 21.22 acres, and the park/basin lot would be located on approximately 2.5 acres. The Surveyed Designated Remainder would be located on approximately 5.47 acres. Northgate Drive, which currently terminates along a portion of the western border of the project site, would be extended west to east through the northern half of the project site, and would connect with the existing intersection of Northgate Drive and North Main Street. The extension of Northgate Drive within the project site would separate the proposed project residential and park/basin uses from the surveyed designated remainder lot, and would also allow access to the project site (from the North Gate Drive/North Main Street intersection).

Findings:

In accordance with the California Environmental Quality Act, the City of Manteca has prepared an Initial Study to determine whether the North Main Commons Subdivision Project may have a significant adverse effect on the environment. The Initial Study and Proposed Mitigated Negative Declaration reflect the independent judgment of City of Manteca staff. On the basis of the Initial Study, the City of Manteca hereby finds:

Although the proposed project could have a significant adverse effect on the environment, there will not be a significant adverse effect in this case because the project has incorporated specific provisions to reduce impacts to a less than significant level and/or the mitigation measures described herein have been added to the project. A Mitigated Negative Declaration has thus been prepared.

The Initial Study, which provides the basis and reasons for this determination, is attached and/or referenced herein and is hereby made a part of this document.

Date

Proposed Mitigation Measures:

The following Mitigation Measures are extracted from the Initial Study. These measures are designed to avoid or minimize potentially significant impacts, and thereby reduce them to an insignificant level. A Mitigation Monitoring and Reporting Program (MMRP) is an integral part of project implementation to ensure that mitigation is properly implemented by the City of Manteca and the implementing agencies. The MMRP will describe actions required to implement the appropriate mitigation for each CEQA category including identifying the responsible agency, program timing, and program monitoring requirements. Based on the analysis and conclusions of the Initial Study, the impacts of proposed project would be mitigated to less-than-significant levels with the implementation of the mitigation measures presented below.

Mitigation Measure BIO-1: Prior to commencement of any grading activities, the Project proponent shall seek coverage under the SJMSCP to mitigate for habitat impacts to covered special status species. Coverage involves compensation for habitat impacts on covered species through implementation of incidental take and minimization Measures (ITMMs) and payment of fees for conversion of lands that may provide habitat for covered special status species. These fees are used to preserve and/or create habitat in preserves to be managed in perpetuity. Obtaining coverage for a Project includes incidental take authorization (permits) under the Endangered Species Act Section 10(a), California Fish and Game Code Section 2081, and the MBTA. Coverage under the SJMSCP would fully mitigate all habitat impacts on covered special-status species.

Mitigation Measure BIO-2: Prior to any ground disturbance related to activities covered under the SJMSCP, which are conducted during the Swainson's hawk nesting season (March 15- September 15), a USFWS/CDFW-approved biologist shall conduct a preconstruction survey no more than 30 days prior to construction in order to establish whether occupied Swainson's hawk nests are located within ½ mile of the project site. If potentially occupied nests are identified within ½ mile of the project site, then their occupancy will be determined by observation from public roads or by observations of Swainson's hawk activity (e.g. foraging) near the project site. A written summary of the survey results shall be submitted to the City of Manteca Community Development Department Director. If occupied nests occur onsite or within ½ mile of the project site, then Mitigation Measure BIO-2 shall be implemented. If occupied nests are not found, further mitigation is not necessary.

Mitigation Measure BIO-3: During the nesting season (March 15-September 15), covered activities within ½ mile of occupied Swainson's hawk nests or nests under construction shall be prohibited to prevent nest abandonment. If site-specific conditions, or the nature of the covered activity (e.g., steep topography, dense vegetation, and limited activities) indicate that a smaller buffer could be used, SJCOG may coordinate with CDFW/USFWS to determine the appropriate buffer size. If young fledge prior to September 15, covered activities could proceed normally. If the active nest site is shielded from view and noise from the project site by other development, topography, or other features, the project applicant can apply to SJCOG for a waiver of this avoidance measure. Any waiver must also be approved by USFWS and CDFW. While a nest is occupied, activities outside the buffer can take place.

Mitigation Measure BIO-4: Prior to the commencement of grading activities or other ground disturbing activities on the project site, the project applicant shall arrange for a qualified biologist to conduct a preconstruction survey for western burrowing owls. If no owls or owl nests are detected, then construction activities may commence. If burrowing owls or occupied nests are discovered, then the following shall be implemented:

 During the breeding season (February 1 through September 1) occupied burrows shall not be disturbed and shall be provided with a 75 meter protective buffer until and unless the SJCOG Technical Advisory Committee (TAC), with the concurrence of the Permitting Agencies' representatives on the TAC; or unless a qualified biologist approved by the Permitting Agencies verifies through non-invasive means that either: 1) the birds have not begun egg laying, or 2) juveniles from the occupied burrows are foraging independently and are capable of independent survival. Once the fledglings are capable of independent survival, the burrow can be destroyed. They should only be destroyed by a qualified biologist using passive one-way eviction doors to ensure that owls are not harmed during burrow destruction. Methods for removal of burrows are described in the California Department of Fish and Game's Staff Report on Burrowing Owls (October, 1995)

 During the non-breeding season (September 1 through January 31) burrowing owls occupying the project site should be evicted from the project site by passive relocation as described in the California Department of Fish and Game's Staff Report on Burrowing Owls (October, 1995)

Implementation of this mitigation shall occur prior to grading or site clearing activities.

Mitigation Measure CLT-1: If any prehistoric or historic artifacts, human remains or other indications of archaeological resources are found during grading and construction activities, an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, shall be consulted to evaluate the finds and recommend appropriate mitigation measures.

- If cultural resources or Native American resources are identified, every effort shall be made to avoid significant cultural resources, with preservation an important goal. If significant sites cannot feasibly be avoided, appropriate mitigation measures, such as data recovery excavations or photographic documentation of buildings, shall be undertaken consistent with applicable state and federal regulations.
 - o If human remains are discovered, all work shall be halted immediately within 50 meters (165 feet) of the discovery, the County Coroner must be notified, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in CEQA Section 15064.5(d) and (e) shall be followed.
 - If any fossils are encountered, there shall be no further disturbance of the area surrounding this find until the materials have been evaluated by a qualified paleontologist, and appropriate treatment measures have been identified.

Mitigation Measure HYD-1: Prior to issuance of grading permits, the contractor shall prepare a Storm Water Pollution Prevention Plan (SWPPP). The Developer shall file the Notice of Intent (NOI) and associated fee to the SWRCB. The SWPPP shall serve as the framework for identification, assignment, and implementation of BMPs. The contractor shall implement BMPs to reduce pollutants in stormwater discharges to the maximum extent practicable. The SWPPP shall be submitted to the City Engineer for review and approval and shall remain on the project site during all phases of construction. Following implementation of the SWPPP, the contractor shall subsequently demonstrate the SWPPP's effectiveness and provide for necessary and appropriate revisions, modifications, and improvements to reduce pollutants in stormwater discharges to the maximum extent practicable.

Mitigation Measure HYD-2: Prior to the issuance of a building or grading permit, the storm drainage plan shall be designed and engineered to ensure that post-project runoff is equal to or less than pre-project runoff in accordance with the City of Manteca Storm Drain Master Plan. The applicant shall provide the City Engineer with all stormwater runoff calculations with the improvement plan submittal. The drainage plan shall also comply with all applicable requirements as contained within the Manteca Post-Construction Stormwater Standards Manual.

Mitigation Measure NOI-1: Prior to occupancy of the project, the project applicant shall install sound walls sufficient to reduce exterior sound levels throughout the project site to 60 db Ldn, or 65 db Ldn (where 60 db Ldn is infeasible), as analyzed in the acoustical analysis prepared by WJV Acoustics, Inc. One option (as provided in the acoustical analysis) is for the project applicant to install sound walls of the following heights at the following locations:

- A 6-foot sound wall surrounding the entire western boundary of the project site (along North Main Street), continuing east at Northgate Drive to Lot 27;
- A 6-foot sound wall along the northern boundary of Lot 65;
- A 6.5-foot sound wall along the northern boundary of Lot 107;
- A 7.5 foot sound wall along the northern boundary of Lot 108;
- An 8-foot sound wall along the northern boundary of Lot 138;
- A 9-foot sound wall along the northern boundary of Lot 139; and
- A 13-foot sound wall in place of a segment of the existing 11-foot sound wall along SR 99. The segment to be replaced begins at the southeastern edge of the project boundary at Lot 154 and ends approximately 125 feet to the northwest of Lot 154 (where the existing 11-foot sound wall ends). Alternatively, the existing 11-foot sound wall located along SR 99 at Lot 154 could be extended inward (into the project site) for 20 feet.

Mitigation Measure NOI-2: The project applicant shall ensure that second-floor rear balconies and decks are not incorporated into project design at the first row of proposed homes adjacent to North Main Street (Lots 1-20) and the northern lots (Lots 21-27, 65, 107, 108, 138, 139).

Mitigation Measure NOI-3: Prior to occupancy of the project, the project applicant shall ensure that mechanical ventilation and/or air conditioning is provided for all homes.

Mitigation Measure NOI-4: The following mitigation measures shall be implemented:

- a) Construction activities (excluding activities that would result in a safety concern to the public or construction workers) shall be limited to between the hours of 7:00 a.m. and 7:00 p.m. Construction activities shall be prohibited on Sundays and federal holidays.
- b) Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations.
- c) Construction equipment staging areas shall be located at the furthest distance possible from nearby noisesensitive land uses.

Mitigation Measure TT-1: Prior to issuance of building permits, the project applicant(s) shall contribute all applicable fees to cover their proportionate cost improvements in order to satisfy their fair share obligations, as determined by the City of Manteca Public Works Department.

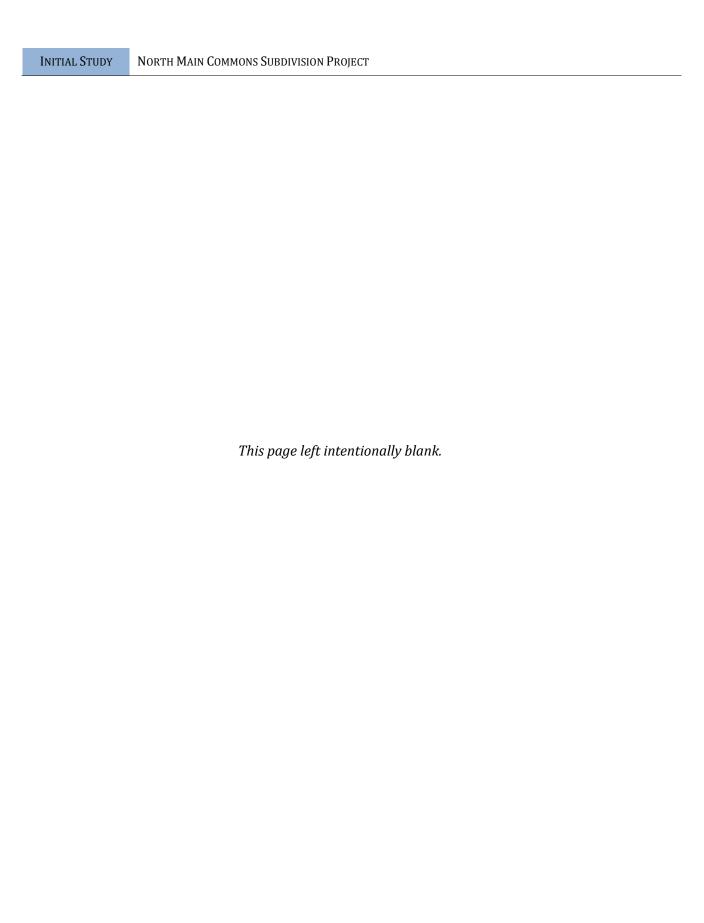


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INITIAL STUDY CHECKLIST

PROJECT TITLE

North Main Commons Subdivision Project

LEAD AGENCY NAME AND ADDRESS

City of Manteca 1001 West Center Street Manteca, CA 95337

CONTACT PERSON AND PHONE NUMBER

Adam Paszkowski City of Manteca Community Development Department 1001 West Center Street Manteca, CA 95337 (209) 456-8523

PROJECT SPONSOR'S NAME AND ADDRESS

Toinette Rossi P.O. Box 8837 Ripon, CA 95366

PROJECT LOCATION AND SETTING

The project site is located in the northeast portion of the City of Manteca, southwest of SR-99 and east of North Main Street (as shown in Figures 1 and 2). It is surrounded primarily by residential uses to the east, and commercial uses to the south, west, and north. There are additional scattered residential uses located to the west and northwest of the project site. The project site totals approximately 30.17 acres and is undeveloped and covered with ruderal grasses. The project site has a gentle slope with elevations ranging from 32 to 33 feet above mean sea level (MSL). The Assessor's Parcel Numbers (APNs) for the project site are 218-100-01 and 218-100-02. A storage facility is located to the south of the project site, and other commercial uses (i.e. a car dealership, a plumbing supply company, and a casino) are located to the east of the project site. The parcel directly to the north of the project site is currently undeveloped and vacant.

DOCUMENT RECIRCULATION

Under the CEQA Guidelines, a lead agency is required to recirculate a Mitigated Negative Declaration (MND) when the document must be substantially revised after the public notice of its availability, but prior to being adopted. "Substantial revision" can include revisions incorporated into the project that do not reduce environmental effects, or that increase environmental effects.

The Mitigated Negative Declaration was circulated for a statutory 30-day public review from March 2, 2018 to April 2, 2018. The following table lists the comments that were submitted to the City during the 30-day public review period for the Initial Study/Mitigated Negative Declaration (IS/MND). The assigned comment letter, letter date, letter author, and affiliation, if

presented in the comment letter or if representing a public agency, are also listed. Letters received are coded with letters (A, B, C, etc.) and are included in the appendix.

LIST OF COMMENTERS ON IS/MND

RESPONSE LETTER/ NUMBER	INDIVIDUAL OR SIGNATORY	AFFILIATION	DATE
A	Linda Weber	Resident	3-9-2018
В	Craig & Cindy Killough	Resident	3-11-2018
С	Teresa Mannen	Resident	3-15-2018
D	Benjamin Cantu	BC Planning Land Use Planning & Design	3-21-2018
Е	Benjamin Cantu	BC Planning Land Use Planning & Design	3-21-2018
F	Erika E. Durrer	Manteca Unified School District	3-22-2018
G	Stephanie Tadlock	Central Valley Regional Water Quality Control Board	3-26-2018
Н	Residents	Residents Petition	4-2-2018
I	Travis Yokoyama	San Joaquin Council of Governments	4-2-2018
J	Scott Morgan	State of California Governor's Office of Planning and Research	4-3-2018
К	Laurel Boyd	San Joaquin Council of Governments	4-9-2018

The list of comments included a petition from neighbors living along Aksland Drive and the surrounding neighborhood. The issue raised by the petitioners was mainly over traffic concerns, and they requested that the City consider not allowing Aksland Drive to connect to the proposed project, which would ultimately connect to North Main Street. It is noted that the General Plan Circulation Element has always anticipated Aksland Drive connecting to Main Street, which is why the existing design of Aksland Drive is not a cul-de-sac; instead, it is a terminus with barriers. Regardless of this planned roadway extension, the City engaged a traffic engineer to analyze Aksland Drive for a non thru-way road.

The analysis of Aksland Drive as a non thru-way road showed that emergency response times would be increased as fire personnel would be required to stop, exit their emergency vehicle, and unlock the bollards. Under ideal conditions, this can add an additional 60 to 90 seconds to the total emergency response time. During evening or weather conditions, this has the potential to add an additional 60 to 180 seconds to the total emergency response time. Furthermore, because no (0%) of North Main Commons traffic was projected to use Aksland Drive east of the project site, limiting thru access to an emergency vehicle access (EVA) would negatively impact emergency response times to and from the existing neighborhood and Springtime Park. Based on the inconsistency with the General Plan, and the anticipated slower emergency response to citizens along Aksland Drive, the City staff brought the project and petition to the Planning Commission and City Council for their consideration and to provide staff direction. Both the Planning Commission and City Council directed staff and the project applicant to redesign the Aksland Drive component of the project to be an EVA instead of a thru-road as was originally anticipated in the General Plan. As such, this recirculated Initial Study and Mitigated Negative

Declaration reflects the modifications to the original project design, to ensure that Aksland Drive does not connect to the proposed project, except through an EVA with bollards.

The original Responses to Comments and Errata for the IS/MND is included in Appendix A. This recirculated Initial Study and Mitigated Negative Declaration incorporates the minor edits from the errata within the original Response to Comments (as provided in Appendix A). An additional letter was received after the comment period had closed, from the Manteca Unified School District (MUSD). Appendix B provides a Response to Comments for this new letter.

DESIGN REVISIONS

Figure 3 illustrates the design revisions, which does not include the extension of Aksland Drive into the project site. Instead, an EVA with bollards will be installed to allow access only by emergency vehicles from the project site onto Aksland Drive. The road that was originally the Aksland Drive extension within the project site is now an extension of the existing Northgate Drive. Northgate Drive would extend from its existing intersection with North Main Street to the eastern end of the project site, where it intersects with Street D. Northgate Drive would not allow vehicular traffic to flow through to the existing Aksland Drive. Other design revisions include: new ingress/egress access (right-in, right-out turn) from North Main Street located in the southwestern corner of the project site, a reduction in the number of lots (from 158 to 154 lots), and revisions to the property boundaries of some of the lots located along the eastern property boundary of the project site (e.g. enlargement of lot 1).

PROJECT DESCRIPTION

The proposed project includes a General Plan Amendment, Rezone, and a Tentative Subdivision Map that would facilitate the development of up to 154 single family residential lots (with one unit per lot), one park/basin lot, and a surveyed designated remainder lot, on a total of approximately 30.17 acres. Figure 3 provides the proposed project tentative subdivision map. The residential portion of the project site is located on approximately 21.22 acres, and the park/basin lot would be located on approximately 2.5 acres. The Surveyed Designated Remainder would be located on approximately 5.47 acres.

The tentative subdivision contains a lot layout plan, a topographic survey, a dimension and utility plan, and a grading and drainage plan. An existing on-site residential well would remain and be used for irrigation purposes only. Storm drainage would include a collection system in compliance with the City of Manteca Master Plan. Twelve to eighteen-inch stormwater drain pipes would carry stormwater collected throughout the project site to a pump station and force main, which would direct stormwater to the existing South San Joaquin Irrigation District (SSJID) storm drain located to the south of the project site. A storm drainage basin is also proposed for the northeastern portion of the project site. Potable water and sanitary sewer would be connected to the City of Manteca water and sewer systems, via 8-inch water pipes and 6-, 8- and 10-inch sanitary sewer pipes, providing connections to existing right-of-way (ROW).

The portion of Northgate Drive that would be developed within the project site would have a total ROW of 80 feet and would include vertical curb and gutter and 5-foot (non-drive-over) sidewalks. Several internal streets would directly connect the proposed project lots to the extension of Northgate Drive, as shown in Figure 3, including Streets B, C, and D, which would have a ROW of 46 feet with drive-over curb, gutter, and sidewalk. Other streets within the internal circulation network of the project site (including Streets G and F) would be wider and have a ROW of 54 feet with drive-over curb and gutter, with (non-drive-over) 5-foot sidewalks.

Police protection service would be provided by the Manteca Police Department, and the Manteca Fire Department would provide fire protection service. School services would be provided by the Manteca Unified School District. Gas and electricity will be provided by Pacific Gas & Electric.

GENERAL PLAN AND ZONING

The project site has a Commercial Mixed Use (CMU) General Plan Land Use Designation and a Mixed Use Commercial (CMU) zoning designation. The proposed project includes a General Plan Amendment and a Rezone that would modify the residential portion of the site (approximately 23.72 acres out of the project site's 30.17 acres) to have a Low Density Residential (LDR) General Plan Land Use Designation and a One-Family Dwelling (R-1) zoning designation. The existing and proposed General Plan Land Use Designations for the project site are shown in Figure 4; the existing and proposed zoning designations for the project site are shown in Figure 5.

In 2017, California Senate Bill 166 (SB 166) was passed, which requires cities and counties to accommodate their remaining unmet housing need at all times through the housing element planning period. In particular, the law prohibits a reduction of residential density to a lower residential density that is below the density that was utilized in determining compliance with housing element law, unless the city or county makes written findings that the reduction is consistent with the adopted General Plan (including the Housing Element), and that the remaining sites identified in the Housing Element are adequate to accommodate the jurisdiction's share of the regional housing need. The proposed project would be in compliance with the requirements of SB 166. This is discussed in more detail in this Initial Study under the Land Use Planning discussion.

REQUESTED ENTITLEMENTS AND OTHER APPROVALS

The City of Manteca is the Lead Agency for the proposed project, pursuant to the State Guidelines for Implementation of CEQA, Section 15050.

This document will be used by the City of Manteca to take the following actions:

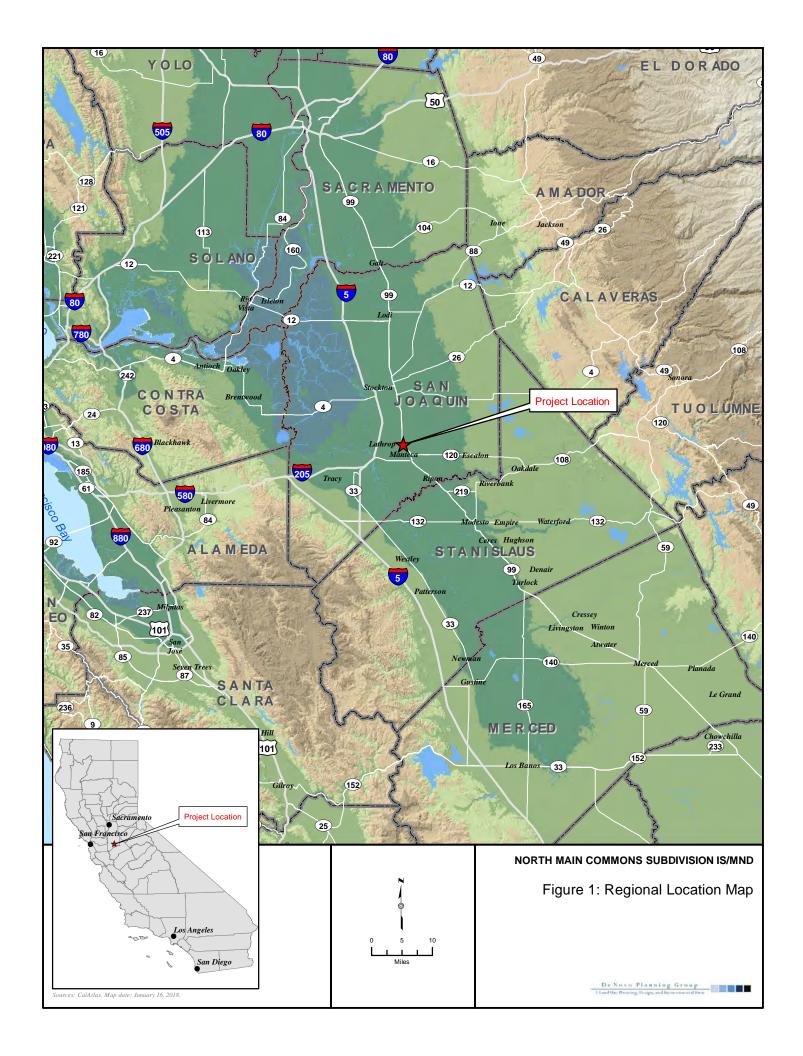
- Adoption of the Mitigated Negative Declaration (MND);
- Adoption of the Mitigation Monitoring and Reporting Program (MMRP);
- Adoption of a General Plan Amendment to convert a portion of the site from Commercial Mixed Use (CMU) to Low Density Residential (LDR).
- Approval of a Rezone to convert a portion of the site from Mixed Use Commercial to One-Family Dwelling (R-1);
- Tentative Subdivision Map Approval; and

The following agencies may be required to issue permits or approve certain aspects of the proposed project:

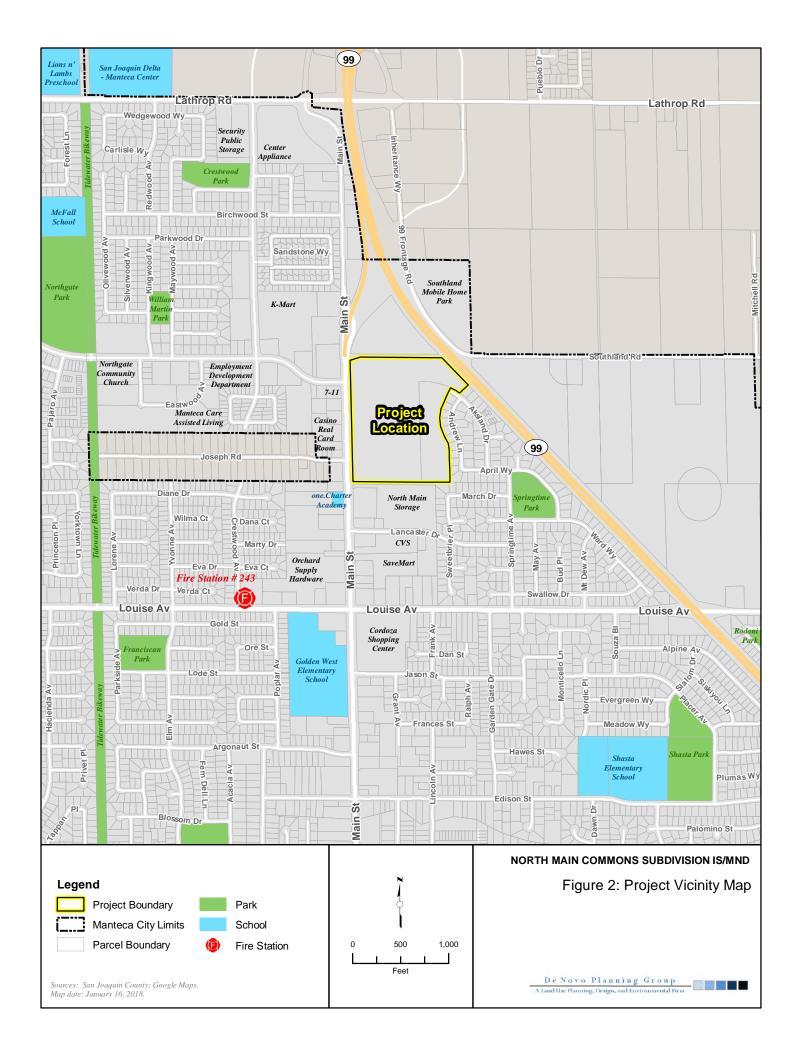
 Regional Water Quality Control Board (RWQCB) – Construction activities would be required to be covered under the National Pollution Discharge Elimination System (NPDES); and

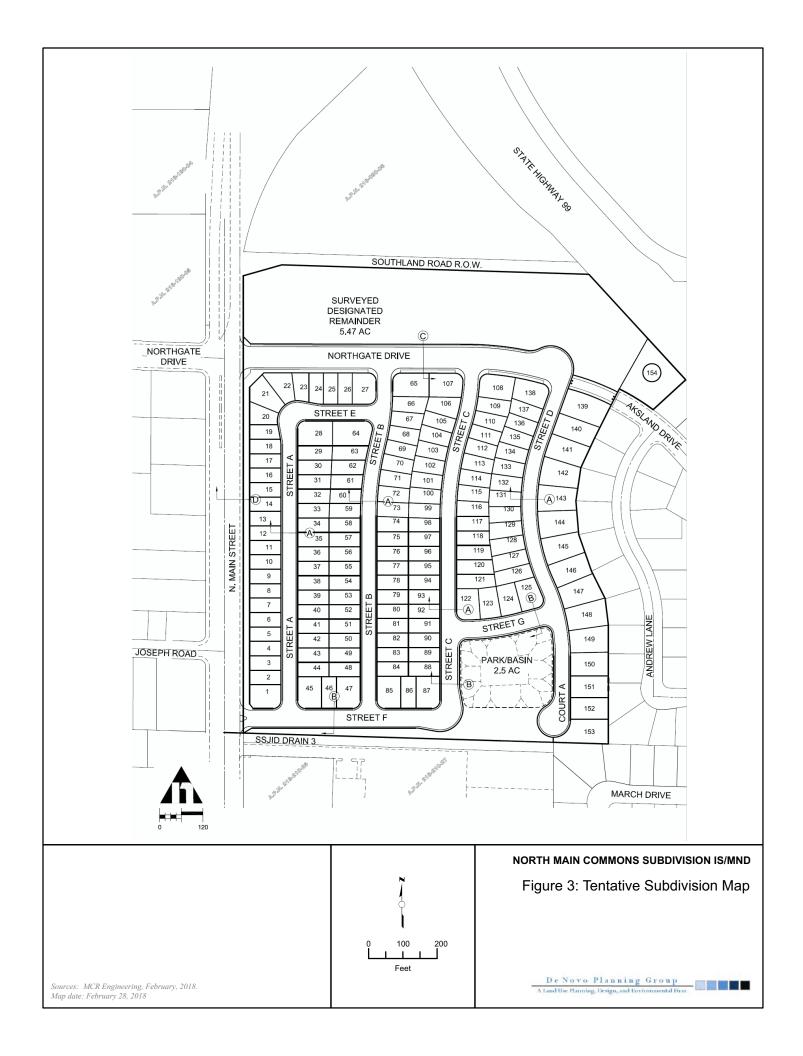
- Regional Water Quality Control Board (RWQCB) Storm Water Pollution Prevention Plan (SWPPP) approval prior to construction activities pursuant to the Clean Water Act.
- San Joaquin Valley Unified Air Pollution Control District (Valley Air District) Indirect Source Review.

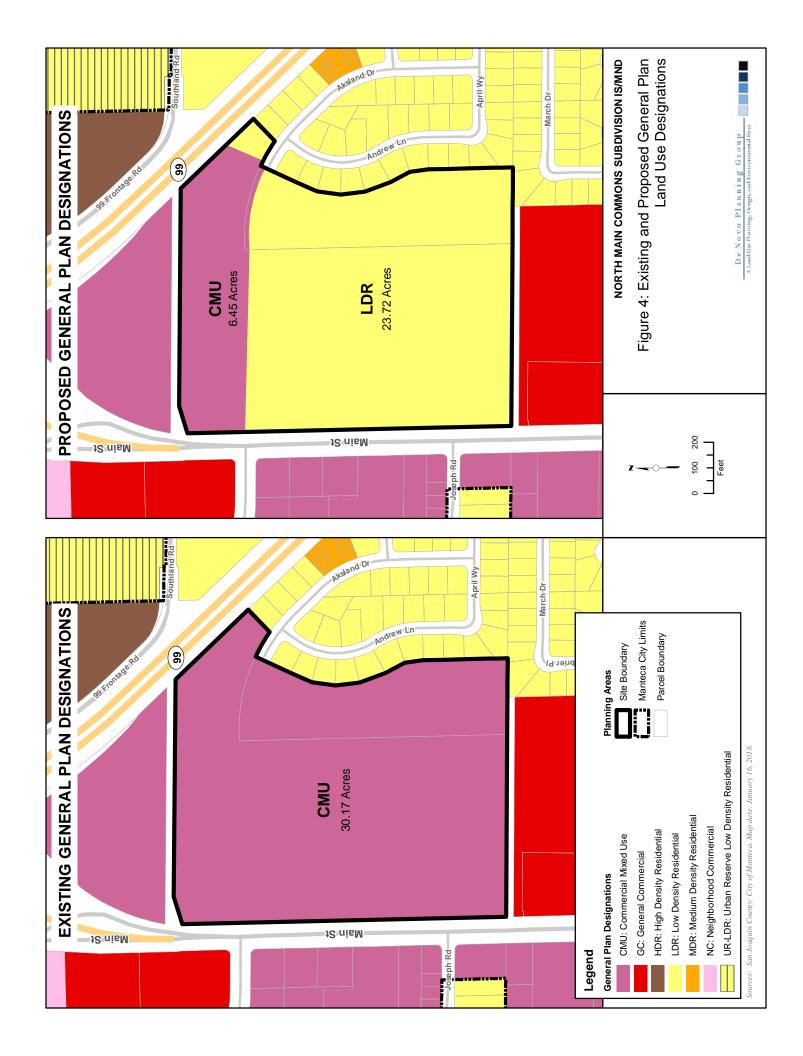


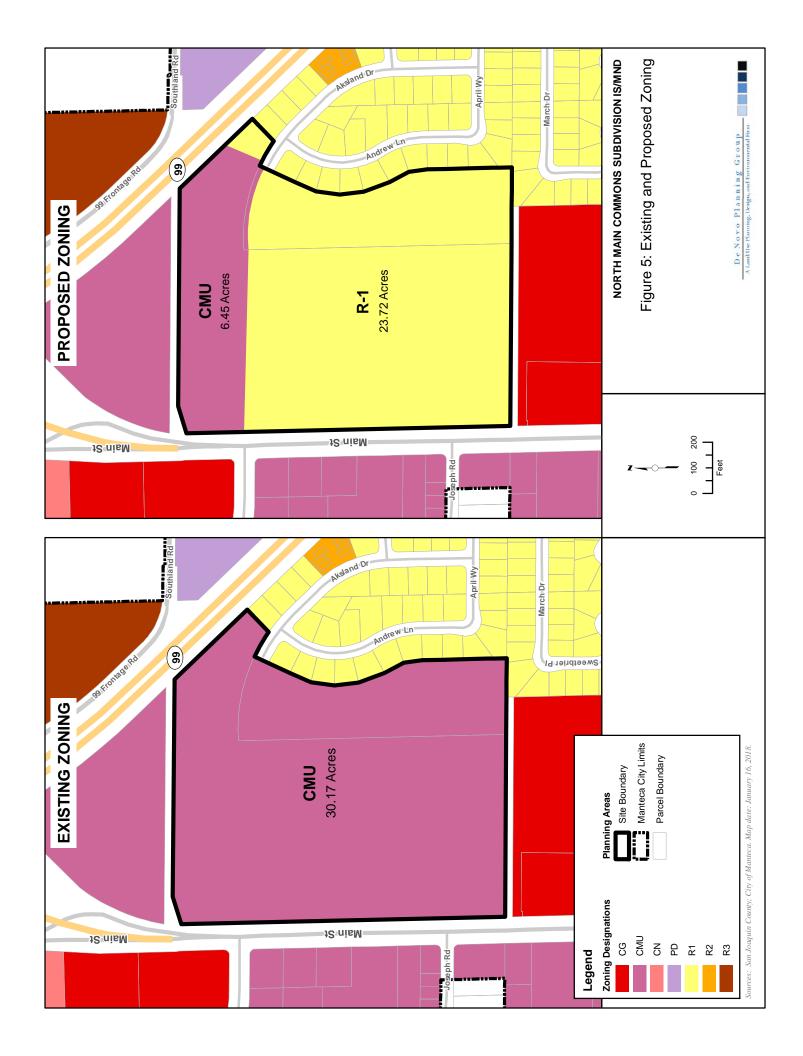














ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

None of the environmental factors listed below would be significantly impacted by implementation of this project and the associated recommended mitigation measures, as described on the following pages.

Aesthetics	Agriculture and Forest Resources	Air Quality
Biological Resources	Cultural Resources	Geology and Soils
Greenhouse Gasses	Hazards and Hazardous Materials	Hydrology and Water Quality
Land Use and Planning	Mineral Resources	Noise
Population and Housing	Public Services	Recreation
Transportation and Traffic	Tribal Cultural Resources	Utilities and Service Systems
Mandatory Findings of Significance		

DETERMINATION

On the basis of this initial evaluation:

	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
X	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.
	•

Signature	Date

EVALUATION INSTRUCTIONS

- A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances).

- Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significant.

EVALUATION OF ENVIRONMENTAL IMPACTS

In each area of potential impact listed in this section, there are one or more questions which assess the degree of potential environmental effect. A response is provided to each question using one of the four impact evaluation criteria described below. A discussion of the response is also included.

- Potentially Significant Impact. This response is appropriate when there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries, upon completion of the Initial Study, an EIR is required.
- Less than Significant With Mitigation Incorporated. This response applies when the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact". The Lead Agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level.
- Less than Significant Impact. A less than significant impact is one which is deemed to have little or no adverse effect on the environment. Mitigation measures are, therefore, not necessary, although they may be recommended to further reduce a minor impact.
- No Impact. These issues were either identified as having no impact on the environment, or they are not relevant to the Project.

ENVIRONMENTAL CHECKLIST

This section of the Initial Study incorporates the most current Appendix "G" Environmental Checklist Form, contained in the CEQA Guidelines. Impact questions and responses are included in both tabular and narrative formats for each of the 18 environmental topic areas.

I. AESTHETICS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?				Х
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			Х	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

Responses to Checklist Questions

Responses a), c): Less than Significant. For analysis purposes, a scenic vista can be discussed in terms of a foreground, middleground, and background viewshed. The middleground and background viewshed is often referred to as the broad viewshed. Examples of scenic vistas can include mountain ranges, valleys, ridgelines, or water bodies from a focal point of the forefront of the broad viewshed, such as visually important trees, rocks, or historic buildings. An impact would generally occur if a project would change the view to the middle ground or background elements of the broad viewshed, or remove the visually important trees, rocks, or historic buildings in the foreground.

The proposed project will not significantly disrupt middleground or background views from public viewpoints. The proposed project would result in changes to the foreground views from the public viewpoint by adding residential homes to a site that is undeveloped.

Upon build-out, the project would be of similar visual character to adjacent developments. For motorists travelling along nearby roadways, such as North Main Street, the project would appear to be a continuation of adjacent land uses and would not present unexpected or otherwise unpleasant aesthetic values within the general project vicinity.

There are no scenic vistas located on or adjacent to the project site. The project site is not topographically elevated from the surrounding lands, and is not highly visible from areas beyond the immediate vicinity of the site. There are no prominent features on the site, such as extensive trees, rock outcroppings, or other visually distinctive features that contribute to the

scenic quality of the site. The project site is not designated as a scenic vista by the City of Manteca General Plan.

Implementation of the proposed project would not significantly change the existing visual character of the project area, as the areas immediately adjacent to the site are used for commercial and residential purposes. Therefore, this impact is considered *less than significant*.

Response b): No Impact The project site is not located within view of a state scenic highway. The nearest highway subject to this program is I-580 (From I-5 to SR-205), an Officially Designated State Scenic Highway, located approximately 15 miles southwest of the project site. However, the proposed project is not visible from this scenic highway. Since the site is not visible from a state scenic highway, the proposed project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. Implementation of the proposed project would have *no impact* relative to this topic.

Response d): Less than Significant. There is a potential for the proposed project to create new sources of light and glare. Examples would include construction lighting, street lighting, security lighting along sidewalks, exterior building lighting, interior building lighting, automobile lighting, and reflective building materials. Residential and commercial development and streets to the north, south, east, and west currently produce a moderate amount of nighttime lighting from street lighting, residential interiors, and exterior building lighting. Because light sources from the project site would be consistent with the type and intensity of existing lighting sources, the existing, ambient condition would not substantially change upon development of the proposed project. The project site is currently undeveloped and does not contain existing lighting. With development of the project, sources of nighttime lighting would be added and would increase nighttime lighting in the area with a type and intensity of lighting consistent with the residential and commercial uses surrounding the project site. When viewed from more distant areas, the lighting associated with the residential development could appear to increase skyglow in the area because the existing project site is currently dark.

City of Manteca General Plan Policy CD-P-45 requires the provision of directional shielding for all exterior lighting, to minimize the annoyance of direct or indirect glare. In addition, Policy CD-P-46 requires the provision of automatic shutoffs or motion sensors for lighting features in newly developed areas. Outdoor lighting would be installed in conformance with City codes and ordinances, applicable safety and illumination requirements, and California Title 24 requirements. Lighting would be installed at pedestrian crossings, as appropriate for public safety, and where lighting is needed for public safety. Limited safety and security lighting and indirect shielded lighting would also be provided. Further, proposed lighting would also be placed to ensure it illuminates only the intended areas and does not penetrate into adjacent residential communities. These lighting plans would be consistent with General Plan policies, as described above.

Development on the project site could also increase daytime glare because of an increase in the number of windows and use of certain types of building materials. However, use of non-reflective building materials is proposed as part of the project and the project would be required to undergo design review with the City to confirm it complies with the City's design requirements. Therefore, impacts associated with the creation of light or glare, such that it adversely affects daytime or nighttime views in the area, would be *less than significant*.

II. AGRICULTURE AND FOREST RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1222(g)) or timberland (as defined in Public Resources Code section 4526)?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to nonforest use?				X

Responses to Checklist Questions

Response a): Less than Significant. The project site contains farmland of local importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency (California Department of Conservation, 2015). However, the project site does not contain prime farmland, unique farmland, or farmland of statewide importance. Therefore, the proposed project would not convert prime farmland, unique farmland, or farmland of statewide importance to non-agricultural use. Additionally, the City of Manteca General Plan 2023 designates the project site for urban uses. Implementation of the proposed project would have *less than significant* relative to this issue.

Response b): No Impact. The project site is not zoned for agricultural use nor is it under a Williamson Act contract. The project site is considered non-enrolled land (non-Williamson Act land) by the California Department of Conservation (California Department of Conservation, 2016). Therefore, the proposed project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. Implementation of the proposed project would have **no impact** relative to this issue.

Response c): No Impact. The Project site is not forest land (as defined in Public Resources Code section 1222(g)) or timberland (as defined in Public Resources Code section 4526). The proposed project would not conflict with existing zoning for, or cause rezoning of, forest land or timberland. Implementation of the proposed project would have *no impact* relative to this issue.

Response d): No Impact. The project site is not forest land. The proposed project would not result in the loss of forest land or conversion of forest land to non-forest use. Implementation of the proposed project would have *no impact* relative to this issue.

Response e): No Impact. The project site does not contain active agricultural land or forest land. The project is currently designated for urban uses, and is zoned for commercial uses. The proposed project does not involve changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use, or conversion of forest land to non-forest use. Implementation of the proposed project would have **no impact** relative to this issue.

III. AIR QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			Х	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	

Existing Setting

The project site is located within the boundaries of the San Joaquin Valley Air Pollution Control District (SJVAPCD). This agency is responsible for monitoring air pollution levels and ensuring compliance with federal and state air quality regulations within the San Joaquin Valley Air Basin (SJVAB) and has jurisdiction over most air quality matters within its borders.

Responses to Checklist Ouestions

Responses a), b), c): Less than Significant. Air quality emissions would be generated during construction and during operation of the proposed project. Operational emissions would come primarily from vehicle emissions from vehicle trips generated by the proposed project and from the use of energy (i.e. electricity and natural gas) within the proposed project residences.

SJVAPCD Small Project Analysis Level (SPAL)

The SJVAPCD has established CEQA Small Project Analysis Level (SPAL) screening thresholds, which are based on District New Source Review (NSR) offset requirements for stationary sources. Projects that fit the descriptions and are less than the project sizes provided are deemed to have a less than significant impact on air quality due to criteria pollutant emissions and as such are excluded from quantifying criteria pollutant emissions for CEQA purposes. The Single Family land use category was chosen for the purposes of the SPAL screening thresholds. According to the SPAL screening thresholds, Single Family projects that are less than 390 units in project size would have a less than significant impact on air quality due to criteria pollutant emissions. The proposed project would develop up to 154 single-family units, which is smaller than the 390-unit SPAL screening threshold for Single Family Projects. Therefore, with adherence to applicable regulations (including SJVAPCD Rule 9510, as described below), the proposed project would have a less than significant impact with regard to operational

emissions. Further discussion of construction-related air quality impacts and operational air quality impacts are addressed (separately) below.

Construction-Related Emissions

The SJVAPCD's approach to analysis of construction impacts is to require implementation of effective and comprehensive control measures, rather than to require detailed quantification of emission concentrations for modeling of direct impacts. PM_{10} emitted during construction can vary greatly depending on the level of activity, the specific operations taking place, the equipment being operated, local soils, weather conditions, and other factors, making quantification difficult. Despite this variability in emissions, experience has shown that there are a number of feasible control measures that can be reasonably implemented to significantly reduce PM_{10} emissions from construction activities. The SJVAPCD has determined that, on its own, compliance with Regulation VIII for all sites and implementation of all other control measures indicated in Tables 6-2 and 6-3 of the SJVAPCD's Guide for Assessing and Mitigating Air Quality Impacts (as appropriate) would constitute sufficient mitigation to reduce construction PM_{10} impacts to a level considered less than significant.

Construction would result in numerous activities that would generate dust. The fine, silty soils in the project area and often strong afternoon winds exacerbate the potential for dust, particularly in the summer months. Impacts would be localized and variable. Construction impacts would last for a period of several months to several years. The initial phase of project construction would involve grading and site preparation activities, followed by building construction. Construction activities that could generate dust and vehicle emissions are primarily related to grading, soil excavation, and other ground-preparation activities, as well as building construction.

Control measures are required and enforced by the SJVAPCD under Regulation VIII. The SJVAPCD considers construction-related emissions from all projects in this region to be mitigated to a less than significant level if SJVAPCD-recommended PM_{10} fugitive dust rules and equipment exhaust emissions controls are implemented. The proposed project would be required to comply with all applicable measures from SJVAPCD Rule VIII. The proposed project would have a less than significant impact related to construction activities on these potential impacts.

Operational Emissions

For the purposes of this operational air quality analysis, actions that violate Federal standards for criteria pollutants (i.e., primary standards designed to safeguard the health of people considered to be sensitive receptors while outdoors and secondary standards designed to safeguard human welfare) are considered significant impacts. Additionally, actions that violate State standards developed by the CARB or criteria developed by the SJVAPCD, including thresholds for criteria pollutants, are considered significant impacts.

SJVAPCD Rule 9510 Indirect Source Review

District Rule 9510 requires developers of large residential, commercial and industrial projects to reduce smog-forming (NOx) and particulate (PM_{10} and $PM_{2.5}$) emissions generated by their projects. The Rule applies to many project types, including to projects which, upon full build-out, will include 50 residential units or more. Project developers are required to reduce:

• 20 percent of construction-exhaust nitrogen oxides;

- 45 percent of construction-exhaust PM₁₀;
- 33 percent of operational nitrogen oxides over 10 years; and
- 50 percent of operational PM₁₀ over 10 years.

Developers are encouraged to meet these reduction requirements through the implementation of on-site mitigation; however, if the on-site mitigation does not achieve the required baseline emission reductions, the developer will mitigate the difference by paying an off-site fee to the District. Fees reduce emissions by helping to fund clean-air projects in the District. The proposed project would be required to consult with the SJVAPCD regarding the applicability of Rule 9510 Indirect Source Review including the fees. Therefore, the proposed project would have *a less than significant* impact related to these potential impacts.

Response d): Less than Significant. Sensitive receptors are those parts of the population that can be severely impacted by air pollution. Sensitive receptors include children, the elderly, and the infirm. Although there are existing residences located to the east and west of the project site, there are no schools or elderly facilities located adjacent to the project site. The nearest school is located approximately 0.62 miles to the southeast of the project site (Shasta Elementary School).

Implementation of the proposed project would not expose these sensitive receptors to substantial pollutant concentrations. Air emissions would be generated during the construction and operational phases of the project. The construction phase of the project would be temporary and short-term, and the implementation of all State, Federal, and SJVAPCD requirements would greatly reduce pollution concentrations generated during construction activities. Additionally, operational emissions would be minimal and would have a negligible effect on nearby sensitive receptors.

Operation of the proposed project would result in emissions from vehicle trips and from building energy use. However, as described under Response a) – c) above, the proposed project would not generate significant concentrations of air emissions. Therefore, impacts to sensitive receptors would be negligible and this is a *less than significant* impact.

Response e): Less than Significant. Operation of the proposed project would not generate notable odors. The proposed project is a residential project, which would be compatible with the surrounding land uses. Odors may occur from construction equipment, but these odors would be short-lived. Additionally, mild odors may be generated the dumpsters that would located on-site, but these would be covered and located away from sensitive receptors. This is *a less than significant* impact to this topic and no mitigation is required.

IV. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			Х	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			Х	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			Х	

Responses to Checklist Questions

Response a): Less than Significant with Mitigation. Special-status invertebrates that occur within the San Joaquin County region include: longhorn fairy shrimp, vernal pool fairy shrimp, and midvalley fairy shrimp, which requires vernal pools and swale areas within grasslands; and the valley elderberry longhorn beetle, which is an insect that is only associated with blue elderberry plants, oftentimes in riparian areas and sometimes on land in the vicinity of riparian areas. The project site does not contain essential habitat for these special status invertebrates. Implementation of the proposed project would have a less than significant impact on these species.

Special-status reptiles and amphibians that occur within the region include: the western pond turtle, which requires aquatic environments located along ponds, marshes, rivers, and ditches; the California tiger salamander, which is found is grassland habitats where there are nearby seasonal wetlands for breeding; San Joaquin whipsnake, which requires open, dry habitats with little or no tree cover with mammal burrows for refuge; the California horned lizard, which

occurs in a variety of habitats including, woodland, forest, riparian, and annual grasslands, usually in open sandy areas; the foothill yellow-legged frog, which occurs in partly shaded and shallow streams with rocky soils; the California red legged frog, which occurs in stream pools and ponds with riparian or emergent marsh vegetation; and the western spadefoot toad, which requires grassland habitats associated with vernal pools. The project site does not contain essential habitat for these special status reptiles and amphibians. Implementation of the proposed project would have a less than significant impact on these species.

Numerous special-status plant species are known to occur in the region. Many of these special status plant species require specialized habitats such as serpentine soils, rocky outcrops, slopes, vernal pools, marshes, swamps, riparian habitat, alkali soils, and chaparral, which are not present on the project site. The project site is located in an area that was likely valley grassland prior to human settlement, and there are several plant species that are found in valley and foothills grasslands areas. These species include large-flowered fiddleneck, bent-flowered fiddleneck, big-balsamroot, big tarplant, round-leaved filaree, Lemmon's jewelflower, and showy golden madia. Human settlement has involved a high frequency of ground disturbance associated with the historical farming activities in the region, including the project site. The project site does not contain these special-status plant species. Implementation of the proposed project would have a less than significant impact on these species.

Special-status birds that occur within the region include: tricolored blackbird, Swainson's hawk, northern harrier, and bald eagle, which are associated with streams, rivers, lakes, wetlands, marshes, and other wet environments; loggerhead shrike, and burrowing owl, which lives in open areas, usually grasslands, with scattered trees and brush; and raptors that are present in varying habitats throughout the region.

<u>Swainson's Hawk.</u> The Swainson's hawk is threatened in California and is protected by the California Department of Fish and Wildlife (CDFW) and the Migratory Bird Treaty Act (MBTA). Additionally, Swainson's hawk foraging habitat is protected by the CDFW. Swainson's hawks forage in open grasslands and agricultural fields and commonly nest in solitary trees and riparian areas in close proximity to foraging habitat. The foraging range for Swainson's hawk is ten miles from its nesting location. There are numerous documented occurrences of Swainson's hawk within ten miles of the project site. There are scattered solitary trees located along the southern and western boundaries of the project site. Additionally, the project site serves as foraging habitat for this species.

Mitigation Measure BIO-1 requires the project applicant to submit an application to SJCOG to request coverage of the project site under the SJMSCP, which is the HCP/NCCP administered by SJCOG. Coverage of a project under the SJMSCP is intended to reduce impacts to biological resources, including Swainson's hawk, resulting from a project. Once the project site has successfully received coverage under the SJMSCP, the applicant is required to incorporate all Incidental Take Minimization Measures identified by SJCOG into the project design. SJCOG will use the mitigation fee to purchase habitat for Swainson's hawk to be protected in perpetuity. In addition, Mitigation Measure BIO-2 would require preconstruction surveys for Swainson's hawk if construction activities are to take place during nesting season, and Mitigation Measure BIO-3 establishes non-disturbance or monitoring buffers if nests are found. No additional mitigation measure is required, and the project's coverage under the SJMSCP ensures that this potential impact would be *less than significant*.

<u>Burrowing Owls</u>. Burrowing owls are a California Species of Special Concern and are protected by the CDFW and the MBTA. Burrowing owls forage in open grasslands and shrublands and

typically nest in old ground squirrel burrows. The project site contains suitable, but not high-quality habitat for burrowing owls. The project site is adjacent to other lands that are currently undeveloped that offer foraging and roosting habitat for wintering or breeding owls. Therefore, there is the potential for burrowing owls to occupy the site. While considered unlikely, due to the presence of urban development surrounding the site, this is considered potentially significant impact. The implementation of Mitigation Measure BIO-4 would ensure that burrowing owls are not impacted during construction activities. The implementation of Mitigation Measure BIO-4 would ensure a *less than significant* impact to burrowing owls.

Mitigation Measures

Mitigation Measure BIO-1: Prior to commencement of any grading activities, the Project proponent shall seek coverage under the SJMSCP to mitigate for habitat impacts to covered special status species. Coverage involves compensation for habitat impacts on covered species through implementation of incidental take and minimization Measures (ITMMs) and payment of fees for conversion of lands that may provide habitat for covered special status species. These fees are used to preserve and/or create habitat in preserves to be managed in perpetuity. Obtaining coverage for a Project includes incidental take authorization (permits) under the Endangered Species Act Section 10(a), California Fish and Game Code Section 2081, and the MBTA. Coverage under the SJMSCP would fully mitigate all habitat impacts on covered special-status species.

Mitigation Measure BIO-2: Prior to any ground disturbance related to activities covered under the SJMSCP, which are conducted during the Swainson's hawk nesting season (March 15- September 15), a USFWS/CDFW-approved biologist shall conduct a preconstruction survey no more than 30 days prior to construction in order to establish whether occupied Swainson's hawk nests are located within ½ mile of the project site. If potentially occupied nests are identified within ½ mile of the project site, then their occupancy will be determined by observation from public roads or by observations of Swainson's hawk activity (e.g. foraging) near the project site. A written summary of the survey results shall be submitted to the City of Manteca Community Development Department Director. If occupied nests occur on- site or within ½ mile of the project site, then Mitigation Measure BIO-2 shall be implemented. If occupied nests are not found, further mitigation is not necessary.

Mitigation Measure BIO-3: During the nesting season (March 15-September 15), covered activities within ½ mile of occupied Swainson's hawk nests or nests under construction shall be prohibited to prevent nest abandonment. If site-specific conditions, or the nature of the covered activity (e.g., steep topography, dense vegetation, and limited activities) indicate that a smaller buffer could be used, SJCOG may coordinate with CDFW/USFWS to determine the appropriate buffer size. If young fledge prior to September 15, covered activities could proceed normally. If the active nest site is shielded from view and noise from the project site by other development, topography, or other features, the project applicant can apply to SJCOG for a waiver of this avoidance measure. Any waiver must also be approved by USFWS and CDFW. While a nest is occupied, activities outside the buffer can take place.

Mitigation Measure BIO-4: Prior to the commencement of grading activities or other ground disturbing activities on the project site, the project applicant shall arrange for a qualified biologist to conduct a preconstruction survey for western burrowing owls. If no owls or owl nests are detected, then construction activities may commence. If burrowing owls or occupied nests are discovered, then the following shall be implemented:

- During the breeding season (February 1 through September 1) occupied burrows shall not be disturbed and shall be provided with a 75 meter protective buffer until and unless the SJCOG Technical Advisory Committee (TAC), with the concurrence of the Permitting Agencies' representatives on the TAC; or unless a qualified biologist approved by the Permitting Agencies verifies through non-invasive means that either: 1) the birds have not begun egg laying, or 2) juveniles from the occupied burrows are foraging independently and are capable of independent survival. Once the fledglings are capable of independent survival, the burrow can be destroyed. They should only be destroyed by a qualified biologist using passive oneway eviction doors to ensure that owls are not harmed during burrow destruction. Methods for removal of burrows are described in the California Department of Fish and Game's Staff Report on Burrowing Owls (October, 1995)
- During the non-breeding season (September 1 through January 31) burrowing owls
 occupying the project site should be evicted from the project site by passive relocation as
 described in the California Department of Fish and Game's Staff Report on Burrowing Owls
 (October, 1995)

Implementation of this mitigation shall occur prior to grading or site clearing activities.

Responses b): No Impact. There is no riparian habitat or other sensitive natural communities located on the project site. As such, the proposed project would have **no impact** on these resources, and no mitigation is required.

Response c): No **Impact.** A wetland is an area that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

There are no wetlands located on the project site. Therefore, there is *no impact* to this topic and no mitigation is required.

Response d): Less than Significant. There are no documented wildlife corridors or wildlife nursery sites on or adjacent to the project site. Implementation of the proposed project would have a *less than significant* impact. No mitigation is necessary.

Responses e), f): Less than Significant. The project site is located within the jurisdiction of the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan ("Plan" or "SJMSCP") and is located within the Central Zone of the SJMSCP. The San Joaquin Council of Governments (SJCOG) prepared the Plan pursuant to a Memorandum of Understanding adopted by SJCOG, San Joaquin County, the United States Fish and Wildlife Service (USFWS), the California Department of Fish and Wildlife (CDFW), Caltrans, and the cities of Escalon, Lathrop, Lodi, Manteca, Ripon, Stockton, and Tracy in October 1994. On February 27, 2001, the Plan was unanimously adopted in its entirety by SJCOG.

According to Chapter 1 of the SJMSCP, its key purpose is to "provide a strategy for balancing the need to conserve open space and the need to convert open space to non-open space uses, while protecting the region's agricultural economy; preserving landowner property rights; providing for the long-term management of plant, fish and wildlife species, especially those that are currently listed, or may be listed in the future, under the Federal Endangered Species Act (ESA) or the California Endangered Species Act (CESA); providing and maintaining multiple use Open Spaces which contribute to the quality of life of the residents of San Joaquin County; and,

accommodating a growing population while minimizing costs to project proponents and society at large."

In addition, the goals and principles of the SJMSCP include the following:

- Provide a County-wide strategy for balancing the need to conserve open space and the need to convert open space to non-open space uses, while protecting the region's agricultural economy.
- Preserve landowner property rights.
- Provide for the long-term management of plant, fish, and wildlife species, especially those that are currently listed, or may be listed in the future, under the ESA or the CESA.
- Provide and maintain multiple-use open spaces, which contribute to the quality of life of the residents of San Joaquin County.
- Accommodate a growing population while minimizing costs to project proponents and society at large.

In addition to providing compensation for conversion of open space to non-open space uses, which affect plant and animal species covered by the SJMSCP, the SJMSCP also provides some compensation to offset impacts of open space conversions on non-wildlife related resources such as recreation, agriculture, scenic values and other beneficial open space uses. Specifically, the SJMSCP compensates for conversions of open space to urban development and the expansion of existing urban boundaries, among other activities, for public and private activities throughout the County and within Escalon, Lathrop, Lodi, Manteca, Ripon, Stockton, and Tracy.

Participation in the SJMSCP is voluntary for both local jurisdictions and project applicants. Only agencies adopting the SJMSCP would be covered by the SJMSCP. Individual project applicants have two options if their project is located in a jurisdiction participating in the SJMSCP: mitigating under the SJMSCP or negotiating directly with the state and/or federal permitting agencies. If a project applicant opts for SJMSCP coverage in a jurisdiction that is participating under the SJMSCP, the following options are available, unless their activities are otherwise exempted: pay the appropriate fee; dedicate, as conservation easements or fee title, habitat lands; purchase approved mitigation bank credits; or, propose an alternative mitigation plan.

Responsibilities of permittees covered by the SJMSCP include collection of fees, maintenance of implementing ordinances/resolutions, conditioning permits (if applicable), and coordinating with the Joint Powers Authority (JPA) for Annual Report accounting. Funds collected for the SJMSCP are to be used for the following: acquiring Preserve lands, enhancing Preserve lands, monitoring and management of Preserve lands in perpetuity, and the administration of the SJMSCP. Because the primary goal of SJMSCP to preserve productive agricultural use that is compatible with SJMSCP's biological goals, most of the SJMSCP's Preserve lands would be acquired through the purchase of easements in which landowners retain ownership of the land and continue to farm the land. These functions are managed by San Joaquin Council of Governments.

The City of Manteca will process the project through SJCOG to ensure coverage of the project pursuant to the SJMSCP. In addition, the proposed project would not conflict with any other applicable local policies or ordinances. Therefore, this is a *less than significant* impact and no additional mitigation is required.

V. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?		X		
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?		Х		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		Х		
d) Disturb any human remains, including those interred outside of formal cemeteries?		Х		

Responses to Checklist Questions

Response a), b), c), d): Less than Significant with Mitigation. There are no known prehistoric period cultural resources, unique paleontological or archeological resources known to occur on, or within the immediate vicinity of the project site. Therefore, it is not anticipated that site grading and preparation activities would result in impacts to cultural, historical, archaeological or paleontological resources. There are no known human remains located on the project site, nor is there evidence to suggest that human remains may be present on the project site.

However, as with most projects in California that involve ground-disturbing activities, there is the potential for discovery of a previously unknown cultural and historical resource or human remains.

The implementation of Mitigation Measure CLT-1 would require appropriate steps to preserve and/or document any previously undiscovered resources that may be encountered during construction activities, including human remains. Implementation of this measure would reduce this impact to a *less than significant* level.

Mitigation Measures

Mitigation Measure CLT-1: If any prehistoric or historic artifacts, human remains or other indications of archaeological resources are found during grading and construction activities, an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, shall be consulted to evaluate the finds and recommend appropriate mitigation measures.

- If cultural resources or Native American resources are identified, every effort shall be made to avoid significant cultural resources, with preservation an important goal. If significant sites cannot feasibly be avoided, appropriate mitigation measures, such as data recovery excavations or photographic documentation of buildings, shall be undertaken consistent with applicable state and federal regulations.
 - If human remains are discovered, all work shall be halted immediately within 50 meters (165 feet) of the discovery, the County Coroner must be notified, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's

- Health and Safety Code. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in CEQA Section 15064.5(d) and (e) shall be followed.
- o If any fossils are encountered, there shall be no further disturbance of the area surrounding this find until the materials have been evaluated by a qualified paleontologist, and appropriate treatment measures have been identified.

VI. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			Х	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			Х	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				Х

Responses to Checklist Questions

Responses a.i), a.ii): Less than Significant. Although no known active faults cross the project site, and the site is not located within an Alquist-Priolo Earthquake Fault Zone, the proposed project would be located in an area that is seismically active. Given the known faults in the region, the project area can be expected to experience earthquakes ranging from 5.0 to 5.9 in magnitude on the Richter scale, and a maximum intensity of VII or VIII on the Modified Mercalli scale. In addition, significant earthquakes from regional fault systems have affected all of San Joaquin County in the past; therefore, the possibility of some level of regional ground shaking in the future is likely.

The State regulates development in California through a variety of tools that reduce hazards from earthquakes and other geologic hazards. The California Building Code (CBC) contains provisions to safeguard against major structural failures or loss of life caused by earthquakes or other geologic hazards. The City of Manteca's building regulations are included in the City's

Municipal Code as chapter 15.04. The proposed project would be required to adhere to the provisions of the CBC, which would reduce hazards from strong seismic ground shaking and other seismic-related effects, including liquefaction.

Since there are no known active faults crossing the project site and the site is not located within an Earthquake Fault Special Study Zone, the potential for ground rupture at the site is considered low. Additionally, since strong seismic ground shaking and seismic-related ground failure would not be expected to occur, and because the project would be required to comply with the CBC requirements, impacts would *be less than significant*.

Responses a.iii), c), d): Less than Significant. Liquefaction normally occurs when sites underlain by saturated, loose to medium dense, granular soils are subjected to relatively high ground shaking. During an earthquake, ground shaking may cause certain types of soil deposits to lose shear strength, resulting in ground settlement, oscillation, loss of bearing capacity, landsliding, and the buoyant rise of buried structures. The majority of liquefaction hazards are associated with sandy soils, silty soils of low plasticity, and some gravelly soils. Cohesive soils are generally not considered to be susceptible to liquefaction. In general, liquefaction hazards are most severe within the upper 50 feet of the surface, except where slope faces or deep foundations are present.

Expansive soils are those that undergo volume changes as moisture content fluctuates; swelling substantially when wet or shrinking when dry. Soil expansion can damage structures by cracking foundations, causing settlement and distorting structural elements. Expansion is a typical characteristic of clay-type soils. Expansive soils shrink and swell in volume during changes in moisture content, such as a result of seasonal rain events, and can cause damage to foundations, concrete slabs, roadway improvements, and pavement sections.

As provided by the USDA NRCS Web Soil Survey, the soils encountered at the site generally consist of deep to hardpan, moderately well-drained soils (Timor loamy sand), which could be subject to subsidence. However, as noted in the Manteca General Plan 2023 EIR, the Soil Survey for the area found that subsidence is not a characteristic of the soils that occur within the city, which includes those at the proposed project site. In addition, appropriate design measures would be implemented to avoid, accommodate, replace, or improve any problematic soft or loose soils encountered during construction.

The potential for liquefaction to occur at the project site is considered low. Additionally, the project site is not known to contain expansive soils that would pose a significant risk to structures at the project site. As such, this is a *less than significant* impact and no mitigation is required.

Responses a.iv): Less than Significant. The project site is essentially flat and there are no major slopes in the vicinity of the project site. As such, the project site is exposed to little or no risk associated with landslides. This is a *less than significant* impact and no mitigation is required.

Response b): Less than Significant. Construction and site preparation activities associated with development of the project site include grading and building construction. During the construction preparation process, existing vegetation would be removed to grade and compact the project site, as necessary. Additionally, the proposed soil excavation source area would be an exposed area where loss of topsoil would be likely to occur. As construction occurs, these exposed surfaces could be susceptible to erosion from wind and water. Effects from erosion

include impacts on water quality and air quality. Exposed soils that are not properly contained or capped increase the potential for increased airborne dust and increased discharge of sediment and other pollutants into nearby stormwater drainage facilities. Risks associated with erosive surface soils can be reduced by using appropriate controls during construction and properly revegetating exposed areas.

The proposed project is subject to the requirements of Chapter 13.28 of the Manteca Municipal Code – Stormwater Management and Discharge Control. The purpose of these requirements is to "establish minimum storm water management requirements and controls to protect and safeguard the general health, safety and welfare of the public residing in watersheds within the city of Manteca". These requirements are intended to assist in the protection and enhancement of the water quality of watercourses, water bodies, and wetlands in a manner pursuant to and consistent with the Federal Water Pollution Control Act (Clean Water Act, 33 USC Section 1251 et seq.), Porter- Cologne Water Quality Control Act (California Water Code Section 13000 et seq.) and National Pollutant Discharge Elimination System ("NPDES") Permit No. CAS000004, as such permit is amended and/or renewed.

Control measures are also required and enforced by the SJVAPCD under Regulation VIII relative to air quality. The SJVAPCD considers construction-related emissions from all projects in this region to be mitigated to a less than significant level if SJVAPCD-recommended PM_{10} fugitive dust rules and equipment exhaust emissions controls are implemented. The proposed project would be required to comply with all applicable measures from SJVAPCD Rule VIII, as described in Section III (Air Quality) of this document.

Adherence to BMPs and the requirements outlined in Chapter 13.28 of the City Municipal Code and compliance with SJVAPCD Regulation VII would ensure impacts associated with erosion are *less than significant* and no additional mitigation is required beyond the existing permit and regulatory requirements that are in place.

Response e): No Impact. The project site does not require an alternative wastewater system such as septic tanks. Implementation of the proposed project would have *no impact* on this environmental issue.

VII. GREENHOUSE GAS EMISSIONS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			Х	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses?			Х	

Background

Various gases in the Earth's atmosphere, classified as atmospheric greenhouse gases (GHGs), play a critical role in determining the Earth's surface temperature. Solar radiation enters Earth's atmosphere from space, and a portion of the radiation is absorbed by the Earth's surface. The Earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation.

Naturally occurring greenhouse gases include water vapor (H_2O) , carbon dioxide (CO_2) , methane (CH_4) , nitrous oxide (N_2O) , and ozone (O_3) . Several classes of halogenated substances that contain fluorine, chlorine, or bromine are also greenhouse gases, but they are, for the most part, solely a product of industrial activities. Although the direct greenhouse gases CO_2 , CH_4 , and N_2O occur naturally in the atmosphere, human activities have changed their atmospheric concentrations. From the pre-industrial era (i.e., ending about 1750) to 2011, concentrations of these three greenhouse gases have increased globally by 40, 150, and 20 percent, respectively (IPCC 2013)\(^1\).

Greenhouse gases, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, this radiation that otherwise would have escaped back into space is now retained, resulting in a warming of the atmosphere. This phenomenon is known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect are carbon dioxide (CO_2) , methane (CH_4) , ozone (O_3) , water vapor, nitrous oxide (N_2O) , and chlorofluorocarbons (CFC_3) .

Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors (California Energy Commission 2014)². In California, the transportation sector is the largest emitter of GHGs, followed by electricity generation (California Energy Commission 2014).

As the name implies, global climate change is a global problem. GHGs are global pollutants, unlike criteria air pollutants and toxic air contaminants, which are pollutants of regional and local concern, respectively. California produced 459 million gross metric tons of carbon dioxide

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¹ Intergovernmental Panel on Climate Change. 2013. "Climate Change 2013: The Physical Science Basis, Summary for Policymakers." http://www.climatechange2013.org/images/report/WG1AR5_SPM_FINAL.pdf

² California Energy Commission. 2014. California Greenhouse Gas Emission Inventory. http://www.arb.ca.gov/cc/inventory/inventory_current.htm

equivalents (MMTCO₂e) in 2012 (California Energy Commission 2014). By 2020, California is projected to produce 509 MMTCO₂e per year.

Carbon dioxide equivalents are a measurement used to account for the fact that different GHGs have different potential to retain infrared radiation in the atmosphere and contribute to the greenhouse effect. This potential, known as the global warming potential of a GHG, is also dependent on the lifetime, or persistence, of the gas molecule in the atmosphere. Expressing GHG emissions in carbon dioxide equivalents takes the contribution of all GHG emissions to the greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only CO_2 were being emitted.

Consumption of fossil fuels in the transportation sector was the single largest source of California's GHG emissions in 2004, accounting for 40.7% of total GHG emissions in the state. This category was followed by the electric power sector (including both in-state and out of-state sources) (22.2%) and the industrial sector (20.5%) (California Energy Commission 2014).

Responses to Checklist Questions

Responses a), b): Less than Significant. The proposed project would generate GHGs during the construction and operational phases of the proposed project. The primary source of construction-related GHGs from the proposed project would result from emissions of CO₂ associated with the construction of the proposed project, and worker vehicle trips. The proposed project would require limited grading, and would also include site preparation, building construction, and architectural coating phases. The operational phase of the proposed project would generate GHGs primarily from the proposed project's operational vehicle trips and building energy (electricity and natural gas) usage. Other sources of GHG emissions would be minimal.

The City of Manteca developed a Climate Action Plan (CAP) in October 2013. The CAP provides a baseline emissions inventory for the community, provides forecasts and future year GHG reduction targets, develops a comprehensive set of strategies for reducing GHG emissions community GHG emissions, and describes a set of guidelines for implementation, monitoring, and funding of GHG reduction strategies. The CAP aligns the City of Manteca with the Statewide GHG reduction requirements as set forth in Statewide legislation AB 32 and SB 375, by providing GHG reduction strategies that are expected to reduce community-wide GHG emissions by 15% below 2005 levels by 2020. The proposed project would be consistent with the strategies as described in the City of Manteca CAP and it functions as an implementation project toward achieving the City's Climate Action Plan.

The proposed project would not generate GHG emissions that would have a significant impact on the environment or conflict with any applicable plans, policies, or regulations. Since the proposed project would be consistent with the City CAP, impacts related to greenhouse gases are *less than significant*.

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			Х	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X	
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?			Х	
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			Х	
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X	

Responses to Checklist Questions

Responses a), b): Less than Significant. The proposed project would place residential uses in an area of the city that currently contains residential uses and commercial. The proposed residential land uses do not routinely transport, use, or dispose of hazardous materials, or present a reasonably foreseeable release of hazardous materials, with the exception of common hazardous materials such as household cleaners, paint, etc. The operational phase of the proposed project does not pose a significant hazard to the public or the environment.

There are no known underground storage tanks or pipelines located on the project site that contain hazardous materials. Therefore, the disturbance of such items during construction activities is unlikely. Construction equipment and materials would likely require the use of

petroleum based products (oil, gasoline, diesel fuel), and a variety of common chemicals including paints, cleaners, and solvents. Transportation, storage, use, and disposal of hazardous materials during construction activities would be required to comply with applicable federal, state, and local statutes and regulations. Compliance would ensure that human health and the environment are not exposed to hazardous materials. Therefore, the proposed project would have a *less than significant* impact relative to this issue.

Response c): Less than Significant. The project site is outside a ¼ mile radius of the nearest school. The nearest school is located approximately 0.62 miles to the southeast of the project site (Shasta Elementary School). The operations of a residential subdivision would not emit hazardous emissions or result in the storage or handling of hazardous or acutely hazardous materials, substances or waste above the level of existing conditions. Implementation of the proposed project would result in a **less than significant** impact relative to this topic.

Response d): Less than Significant. According the California Department of Toxic Substances Control (DTSC), there are no Federal Superfund Sites, State Response Sites, or Voluntary Cleanup Sites on the project site. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5. The nearest investigation sites include the following cleanup sites (DTSC, 2017; SWRCB, 2017)):

- Southland 7-11 (RB Case #: 390928): This site is a LUST cleanup site. This was the site of a gasoline station, and potential contaminants of concern included benzene and gasoline. The cleanup at this site was completed (Clean Status: Completed Case Closed), as of September 30, 2014.
- Jiffy Lube (RB Case # 390926): This site is a LUST cleanup site. This was the site of an autobody shop, and potential contaminants of concern included waste oil and other vehicle oils. The cleanup at this site was completed as of January 8, 2001.
- North Main Street Community School (#39010015). This was a school investigation. Past agricultural uses were deemed to have the potential to cause contamination. Potential soil contaminants of concern included Chlordane, DDD, DDE, and DDT. No further action was necessary, as of October 25, 2001.

Implementation of the proposed project would result in a *less than significant* impact relative to this environmental topic.

Responses e), f): The Federal Aviation Administration (FAA) establishes distances of ground clearance for take-off and landing safety based on such items as the type of aircraft using the airport.

The project site is not located within the vicinity of an airport or airstrip. Since the project is not located within two miles of an airport, this is a *less than significant* impact, and no mitigation is required.

Response g): Less than Significant. The City of Manteca General Plan 2023 includes policies that require the City to maintain emergency access routes that are free of traffic impediments. The proposed project does not include any actions that would impair or physically interfere with an adopted emergency response plan or emergency evacuation plan. The proposed project involves the development of residential uses near similar residential and commercial uses, and the proposed project would allow vehicle access to the project site form multiple locations.

Implementation of the proposed project would result in a *less than significant* impact on this environmental topic.

Response h): Less than Significant. The risk of wildfire is related to a variety of parameters, including fuel loading (vegetation), fire weather (winds, temperatures, humidity levels and fuel moisture contents), and topography (degree of slope). Steep slopes contribute to fire hazard by intensifying the effects of wind and making fire suppression difficult. Fuels such as grass are highly flammable because they have a high surface area to mass ratio and require less heat to reach the ignition point, while fuels such as trees have a lower surface area to mass ratio and require more heat to reach the ignition point.

The City has areas with an abundance of flashy fuels (i.e., grassland) in the outlying residential parcels and open lands that, when combined with warm and dry summers with temperatures often exceeding 100 degrees Fahrenheit, create a situation that results in higher risk of wildland fires. Most wildland fires are human caused, so areas with easy human access to land with the appropriate fire parameters generally result in an increased risk of fire.

The proposed project is not located in an area that has been designated as having high potential for wildland fires (Cal Fire, 2007). The project site is surrounded by existing development, with the exception of the area just to the north of the project site. Because the project site is not located within a designated wildfire hazard area, this is a *less than significant* impact and no mitigation is required.

IX. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?		Х		
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?		X		
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?		Х		
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?		Х		
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			X	
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			Х	
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
j) Inundation by seiche, tsunami, or mudflow?				X

Responses to Checklist Questions

Response a): Less than Significant with Mitigation. Implementation of proposed project would not violate any water quality or waste discharge requirements. Construction activities including grading could temporarily increase soil erosion rates during and shortly after project construction. Construction-related erosion could result in the loss of soil and could adversely affect water quality in nearby surface waters. The RWQCB requires a project-specific SWPPP to

be prepared for each project that disturbs an area one acre or larger. The SWPPP is required to include project specific best management measures that are designed to control drainage and erosion. Mitigation Measure HYD-1 would require the preparation of a SWPPP to ensure that the proposed project prepares and implements a SWPPP throughout the construction phase of the project. Furthermore, the proposed project includes a preliminary grading and drainage plan that has a specific drainage plan designed to control storm water runoff and erosion, both during and after construction. The SWPPP and the project specific drainage plan would reduce the potential for the proposed project to violate water quality standards during construction. Implementation of the proposed project would result in a *less than significant* impact relative to this topic.

Mitigation Measures

Mitigation Measure HYD-1: Prior to issuance of grading permits, the contractor shall prepare a Storm Water Pollution Prevention Plan (SWPPP). The Developer shall file the Notice of Intent (NOI) and associated fee to the SWRCB. The SWPPP shall serve as the framework for identification, assignment, and implementation of BMPs. The contractor shall implement BMPs to reduce pollutants in stormwater discharges to the maximum extent practicable. The SWPPP shall be submitted to the City Engineer for review and approval and shall remain on the project site during all phases of construction. Following implementation of the SWPPP, the contractor shall subsequently demonstrate the SWPPP's effectiveness and provide for necessary and appropriate revisions, modifications, and improvements to reduce pollutants in stormwater discharges to the maximum extent practicable.

Response b): Less than Significant. Groundwater recharge occurs primarily through percolation of surface waters through the soil and into the groundwater basin. The addition of significant areas of impervious surfaces (such as roads, parking lots, buildings, etc.) can interfere with this natural groundwater recharge process. Stormwater would be routed to the existing SSJID drainage facility located in the southern portion of the project site. This would reduce the level of groundwater recharge as compared with the existing condition. However, given the relatively large size of the groundwater basin in the Manteca area, the areas of impervious surfaces added as a result of development of the proposed project would not significantly adversely affect the recharge capabilities of the local groundwater basin. Therefore, the proposed project would result in *less than significant* impacts related to groundwater and groundwater recharge. No mitigation is required.

Responses c-e): Less than Significant with Mitigation. When land is in a natural or undeveloped condition, precipitation will infiltrate/percolate the soils and mulch. Much of the rainwater that falls on natural or undeveloped land slowly infiltrates the soil and is stored either temporarily or permanently in underground layers of soil. When the soil becomes completely soaked or saturated with water or the rate of rainfall exceeds the infiltration capacity of the soil, the rainwater begins to flow on the surface of land to low lying areas, ditches, channels, streams, and rivers. Rainwater that flows off of a site is defined as storm water runoff. When a site is in a natural condition or is undeveloped, a larger percentage of rainwater infiltrates into the soil and a smaller percentage flows off the site as storm water runoff.

The infiltration and runoff process is altered when a site is developed with urban uses. Houses, buildings, roads, and parking lots introduce asphalt, concrete, and roofing materials to the landscape. These materials are relatively impervious, which means that they absorb less

rainwater. As impervious surfaces are added to the ground conditions, the natural infiltration process is reduced. As a result, the volume and rate of storm water runoff increases. The increased volumes and rates of storm water runoff can result in flooding in some areas if adequate storm drainage facilities are not provided.

There are no rivers, streams, or water courses located on or immediately adjacent to the project site. As such, there is no potential for the project to alter a water course, which could lead to on or offsite flooding. Drainage improvements associated with the project site would be located on the project site, and the project would not alter or adversely impact offsite drainage facilities.

The proposed project would increase impervious surfaces throughout the project site. The proposed project would require the installation of storm drainage infrastructure to ensure that storm waters properly drain from the project site. The proposed storm drainage plan includes an engineered network of storm drain lines, manholes, inlets, and a water quality basin. Drainage would flow to an existing SSJID drain located in the southern portion of the project site. The storm drainage plan was designed and engineered to ensure proper construction of storm drainage infrastructure to control runoff and prevent flooding, erosion, and sedimentation. The City Engineer reviews all storm drainage plans as part of the improvement plan submittal to ensure that all facilities are designed to the City's standards and specifications. The City Engineer also reviews all storm drainage plans to ensure that post-project runoff does not exceed pre-project runoff. The City Engineer's review of pre- and post-project runoff is intended to ensure that the capacity of the existing storm drainage system is not exceeded. This determination is ultimately made by the City Engineer during the improvement plan review and approval. Mitigation Measure HYD-2 will require the post-project runoff to be equal to or less than pre-project runoff, which would ensure that the proposed project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Mitigation Measure HYD-2 would also ensure that the proposed project complies with the provisions contained within the City of Manteca Storm Drain Master Plan and the Manteca Post-Construction Stormwater Standards Manual.

Additionally, the proposed project is subject to the requirements of Chapter 13.28 of the Manteca Municipal Code – Stormwater Management and Discharge Control. The purpose of these requirements is to "establish minimum storm water management requirements and controls to protect and safeguard the general health, safety and welfare of the public residing in watersheds within the city of Manteca". These requirements are intended to assist in the protection and enhancement of the water quality of watercourses, water bodies, and wetlands in a manner pursuant to and consistent with the Federal Water Pollution Control Act (Clean Water Act, 33 USC Section 1251 et seq.), Porter- Cologne Water Quality Control Act (California Water Code Section 13000 et seq.) and National Pollutant Discharge Elimination System ("NPDES") Permit No. CAS000004, as such permit is amended and/or renewed.

The proposed project storm drainage plan will require the construction of new storm water drainage facilities on the project site; however, the construction of these facilities would not substantially alter the existing drainage pattern of the area, or alter the course of a stream or river. With implementation of the following mitigation measures, the proposed project would have a *less than significant* impact relative to this environmental topic.

Mitigation Measures

Mitigation Measure HYD-2: Prior to the issuance of a building or grading permit, the storm drainage plan shall be designed and engineered to ensure that post-project runoff is equal to or less than pre-project runoff in accordance with the City of Manteca Storm Drain Master Plan. The

applicant shall provide the City Engineer with all stormwater runoff calculations with the improvement plan submittal. The drainage plan shall also comply with all applicable requirements as contained within the Manteca Post-Construction Stormwater Standards Manual.

Response f): Less than Significant. Construction activities including grading could temporarily increase soil erosion rates during and shortly after project construction. Construction-related erosion could result in the loss of soil and could adversely affect water quality in nearby surface waters. The RWQCB requires a project specific SWPPP to be prepared for each project that disturbs an area one acre or larger. The SWPPP is required to include project specific best management measures that are designed to control drainage and erosion. Mitigation Measure HYD-1 would require the preparation of a SWPPP to ensure that the proposed project prepares and implements a SWPPP throughout the construction phase of the project. Furthermore, the proposed project includes a detailed project specific drainage plan that controls storm water runoff and erosion after construction. The SWPPP (Mitigation Measure HYD-1) and the project specific drainage plan would reduce the potential for polluted runoff and/or degradation of water quality. Implementation of the proposed project would result in a *less than significant* impact relative to this topic.

Responses g-h): Less than Significant. The 100-year floodplain denotes an area that has a one percent chance of being inundated during any particular 12-month period. The risk of a site within the 100-year floodplain being flooded in any century is one percent but statistically the risk is almost 40 percent in any 50-year period.

Floodplain zones are determined by the Federal Emergency Management Agency (FEMA) and used to create Flood Insurance Rate Maps (FIRMs). These tools assist cities in mitigating flooding hazards through land use planning. FEMA also outlines specific regulations for any construction, whether residential, commercial, or industrial within 100-year floodplains.

The project site located in Zone X (Areas determined to be outside the 0.2% annual chance floodplain) (as shown in FEMA FIRM Panel 06077C0630F). The project site is not located within a FEMA designated 100-year, 200-year, or 500-year floodplain (FEMA, 2009). Additionally, the project site is currently protected from the one percent annual chance or greater flood hazard by a levee system. This is a **less than significant** impact and no mitigation is required.

Response i): Less than Significant. The safety of dams in California is stringently monitored by the California Department of Water Resources, Division of Safety of Dams (DSD). In the unlikely event of a dam failure, there is the potential that the project site could become inundated with water. The DSD is responsible for inspecting and monitoring each dam in perpetuity. The proposed project would not result in actions that could result in a higher likelihood of dam failure at San Luis Reservoir and New Melones Dams. There will always be a remote chance of dam failure that results in flooding of the City of Manteca, including the project site. However, given the regulations provided in the California Dam Safety Act, and the ongoing monitoring performed by the DSD, the risk of loss, injury, or death to people or structures from dam failure is considered *less than significant*.

Response j): No Impact. The project site is not anticipated to be inundated by a tsunami because it is located at an elevation of 32 to 33 feet above sea level and is approximately 70 miles away from the Pacific Ocean which is the closest ocean waterbody. Implementation of the proposed project would have **no impact** relative to this environmental topic.

The project site is not anticipated to be inundated by a seiche because it is not located in close proximity to a water body capable of creating a seiche. Implementation of the proposed project would have **no impact** relative to this environmental topic.

A mudflow is a category of landslide that is associated with heavy saturation of soils and sometimes is associated with seismicity. Factors such as the geological conditions, drainage, slope, vegetation, and others directly affect the potential for mudflow. The City's General Plan EIR does not identify mudslides as a topic of concern. Additionally, the project site is essentially flat and would be graded as part of the project. No steep areas that would have the potential to generate mudflows during operations would be created. Therefore, implementation of the proposed project would have *no impact* relative to this environmental topic.

X. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?			X	
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			Х	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?			X	

Responses to Checklist Questions

Response a): Less than Significant. The proposed project is a residential subdivision on an undeveloped site that is surrounded by other residential and commercial land uses. The proposed residential subdivision is consistent with the surrounding uses and would not physically divide an established community. Implementation of the proposed project would have a *less than significant* impact relative to this topic.

Response b): Less than Significant. The key planning documents that are directly related to, or that establish a framework within which the proposed project must be consistent, include:

- City of Manteca General Plan (including the Housing Element)
- City of Manteca Zoning Ordinance

The proposed project is a residential development in an area surrounded by existing commercial and planned residential developments. Development of the project site would alter the existing landscape from undeveloped land to a residential neighborhood. The 30.17-acre project site currently has a Commercial Mixed Use (CMU) General Plan Land Use Designation and a Mixed-Use Commercial (CMU) zoning designation. The proposed project includes a General Plan Amendment and a Rezone that would modify the residential/park portion of the project site (approximately 23.72 acres out of the project site's 30.17 acres) to have a Low Density Residential (LDR) General Plan Land Use Designation and a One-Family Dwelling (R-1) zoning designation. As previously described, the existing and proposed General Plan Land Use Designations for the project site are shown in Figure 4; the existing and proposed zoning designations for the project site are shown in Figure 5.

The LDR General Plan designation allows for 2.1 to 8.0 residential units per gross acre, which is consistent with the residential densities proposed for the overall project site. Therefore, with the General Plan Amendment to change the residential portions of the site to LDR, the proposed project would be consistent with the City of Manteca General Plan. Additionally, the rezoning would establish specific development standards, setbacks, plotting, parking, and other project characteristics that have been developed specifically for this proposed neighborhood. Approval of the Rezone would create consistency between the General Plan and Zoning Ordinance for the project site.

According to Chapter 17.20 of the Manteca Municipal Code, the City's R-1 zone is designed for low-density residential uses. The City's R-1 zone allows for substantial flexibility in selecting dwelling unit types and parcel configurations to suit site conditions and housing needs. The types of dwelling units include small lots and clustered lots as well as conventional large-lot detached residences.

The proposed project would result in approximately 154 units over 30.17 acres, which would result in approximately 5.10 dwelling units per acre. Separately, within the portion of the project site that would have an LDR General Plan designation (23.72 acres), the density would be approximately 6.49 acres. These densities fall within the allowed density for the LDR General Plan designation. The proposed uses and density are generally consistent with the LDR General Plan Land Use Designation.

Additionally, the proposed project would be in compliance with SB 166. The project site has been previously planned for development as a site for lower-income dwelling units. The current City of Manteca General Plan Housing Element provides a Regional Housing Needs Assessment (RHNA) total value 1,618 lower-income dwelling units, and a Residential Holding Capacity for lower income units of 4,292 (that is, the Residential Holding Capacity for lower-income residences exceeded the RHNA requirement for lower-income housing by a margin of 2,674, at the time the Housing Element was adopted). The proposed project would reduce the Residential Holding Capacity of the City of Manteca for lower-income units by approximately 443 units³. Although some development on sites planned for lower-income residences within the City of Manteca could have occurred since the City's General Plan Housing Element was approved, the current Residential Holding Capacity for lower-income residences far exceeds the net change to the RHNA requirement (i.e. the reduction of 443 lower-income residences). Therefore, the proposed project would be in compliance with SB 166.

The above analysis indicates that the proposed project is consistent with the General Plan (including the Housing Element) after adoption of the General Plan Amendment that is proposed as part of the proposed project. The project applicant also has proposed a zone change to ensure that the proposed development standards that were designed for this proposed neighborhood is not in conflict with the Zoning Ordinance. The project as proposed would not conflict with any applicable land use plan, policy, or regulation of the City of Manteca. Implementation of the proposed project would have a *less than significant* impact relative to this issue.

Response c): Less than Significant. As described under the Biological Resources section of this document, the proposed project is subject to the SJMSCP. The City of Manteca will consult with SJCOG to obtain coverage of the project pursuant to the SJMSCP. Implementation of the proposed project would not be in conflict with the SJMSCP. Therefore, this is a **less than significant** impact.

³ The proposed project would include conversion of approximately 23.72 acres from a CMU to an LDR General Plan Land Use Designation; the maximum density allowed for CMU is 25.0 dwelling units per acre, which provides a maximum of 593 dwelling units. The proposed project would develop 154 units. 593 dwelling units minus 154 dwelling units equals a difference of 443 dwelling units.

XI. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				х
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				Х

Responses to Checklist Questions

Response a), b): No Impact. As described in the Manteca General Plan EIR, mineral resources were found not to be significant issues requiring further environmental analysis. The California Division of Mines and Geology identified one location within the City of Manteca General Plan Study Area as a Zone MRZ-2, Significant Mineral Resource Zone. However, this designation does not occur within the project site. The project site does not contain any locally-important mineral resource recovery site. Therefore, the project would not result in the loss of availability of a known mineral resource. Therefore, implementation of the proposed project would have **no impact** relative to this environmental topic.

XII. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X		
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			Х	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?		Х		
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		X		
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				Х
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				Х

Responses to Checklist Questions

Response a): Less than Significant with Mitigation.

Construction noise would be temporary, lasting a period of a few months. The City has standards for construction activities that limit construction to normal business hours, which is the least sensitive time of the day. The project contractors would be required to adhere to these standards as part of the building permit requirements.

The primary sources of noise currently present in the project area are from noise from nearby high-traffic roadways, including North Main Street along the western portion of the project site and SR 99 along the eastern portion of the project site. North Main Street is categorized as an arterial street, which is designed to serve through traffic and major local traffic generators such as residential, commercial, industrial, and institutional uses, and SR 99 is a state highway. North Main Street is located approximately 25-50 feet from the nearest residences that would be located along the western portion of the project site. The nearest proposed residence to SR 99 (i.e. Lot 154) would be located adjacent to SR 99.

The City of Manteca Noise Element sets noise compatibility standards for transportation noise sources in terms of Day-Night Average Level (L_{dn}). Implementation of Policy N-I-1 of the Noise Element establishes a land use compabitility criterion of 60 dB L_{dn} for exterior noise exposure within outdoor activity areas of residential land uses. Outdoor activity areas generally include

backyards and backyard patios or decks of single-family residences, individual patios or decks of multi-family developments and common outdoor recreation areas of multi-family developments. The Noise Element also states "In areas where it is not possible to reduce exterior noise levels to $60~dB~L_{dn}$ or below using a practical application of the best noise-reduction technology, an exterior noise level of up to 65~dB~Ldn will be allowed." The intent of the exterior noise level requirement is to provide an acceptable noise environment for outdoor activities and recreation.

Additionally, the Noise Element requires that interior noise levels attributable to exterior transportation noise sources not exceed 45 dB Ldn. The intent of the interior noise level standard is to provide an acceptable noise environment for indoor communication and sleep.

An acoustical analysis for the proposed project was developed by WJV Acoustics, Inc., on October 15, 2018 (see Appendix C), to quantify project site noise exposure to determine noise mitigation requirements. WJV Acoustics, Inc. conducted long-term (24-hour) noise level measurements at two locations within the project site on September 11, 2018. To measure existing ambient noise levels, one noise monitoring site (LT1) was located near the northeast portion of the project site, and documented noise levels associated with traffic on SR 99. The second noise monitoring site (LT2) was located near the southwest portion of the project site, and documented noise levels associated with traffic on North Main Street, and other nearby commercial and retail activities. LT1 was located approximately 210 feet from the centerline of SR 99 and LT2 was located approximately 80 feet from the centerline of North Main Street.

WJV Acoustics, Inc. calculated traffic noise exposure from traffic for existing and future (2035) conditions using Federal Highway Administration (FHWA) Traffic Noise Model and traffic data obtained from Fehr & Peers, SJCOG, and Caltrans. WJV Acoustics, Inc. utilized the FHWA Highway Traffic Noise Prediction Model (FHWA-RD 77-108) to make calculations (the standard analytical method used for roadway traffic noise calculations). Noise level measurements and concurrent traffic counts were conducted by WJV Acoustics, Inc. staff within the project site on July 20, 2018 at two locations: one measuring noise on North Main Street and a second measuring noise on SR 99.

The results of the acoustical analysis demonstrate that to mitigate exterior traffic noise exposure along North Main Street and SR 99, it would be necessary to construct sound walls along the roadway frontages, as provided by Mitigation Measure NOI-1. The sound walls would provide acoustical shielding of backyards located closest to the roadways. In addition, to ensure that exterior noise does not exceed the applicable thresholds for second-stories, second-level balconies along certain homes would be prohibited, as provided by Mitigation Measure NOI-2. Lastly, to ensure interior noise would not exceed the applicable noise threshold, homes would be required to have mechanical ventilation or air conditioning, so that windows and doors can remain closed for sound insulation purposes, as provided by Mitigation Measure NOI-3.

With implementation of the following mitigation measures, the proposed project would not expose persons to or generate noise levels in excess of standards established in the City of Manteca Noise Element. Therefore, this impact is reduced to a *less than significant* level.

Mitigation Measures

Mitigation Measure NOI-1: Prior to occupancy of the project, the project applicant shall install sound walls sufficient to reduce exterior sound levels throughout the project site to 60 db L_{dn} , or 65 db L_{dn} (where 60 db L_{dn} is infeasible), as analyzed in the acoustical analysis prepared by WIV

Acoustics, Inc. One option (as provided in the acoustical analysis) is for the project applicant to install sound walls of the following heights at the following locations:

- A 6-foot sound wall surrounding the entire western boundary of the project site (along North Main Street), continuing east at Northgate Drive to Lot 27;
- A 6-foot sound wall along the northern boundary of Lot 65;
- A 6.5-foot sound wall along the northern boundary of Lot 107;
- A 7.5 foot sound wall along the northern boundary of Lot 108;
- An 8-foot sound wall along the northern boundary of Lot 138;
- A 9-foot sound wall along the northern boundary of Lot 139; and
- A 13-foot sound wall in place of a segment of the existing 11-foot sound wall along SR 99. The segment to be replaced begins at the southeastern edge of the project boundary at Lot 154 and ends approximately 125 feet to the northwest of Lot 154 (where the existing 11-foot sound wall ends). Alternatively, the existing 11-foot sound wall located along SR 99 at Lot 154 could be extended inward (into the project site) for 20 feet.

Mitigation Measure NOI-2: The project applicant shall ensure that second-floor rear balconies and decks are not incorporated into project design at the first row of proposed homes adjacent to North Main Street (Lots 1-20) and the northern lots (Lots 21-27, 65, 107, 108, 138, and 139).

Mitigation Measure NOI-3: Prior to occupancy of the project, the project applicant shall ensure that mechanical ventilation and/or air conditioning is provided for all homes.

Response b): Less than Significant. No major stationary sources of groundborne vibration were identified in the project site that would result in the long-term exposure of proposed onsite land uses to unacceptable levels of ground vibration. In addition, the proposed project would not involve the use of any major equipment or processes that would result in potentially significant levels of ground vibration that would exceed these standards at nearby existing land uses. However, construction activities associated with the proposed project would require the use of various tractors, trucks, and potentially jackhammers that could result in intermittent increases in groundborne vibration levels. The use of major groundborne vibration-generating construction equipment/processes (i.e., blasting, pile driving) is not anticipated to be required for construction of the proposed project.

Groundborne vibration levels commonly associated with construction equipment are summarized in Table NOISE-1. Based on the levels presented in Table NOISE-1, groundborne vibration generated by construction equipment would not be anticipated to exceed approximately 0.09 inches per second peak particle velocity (ppv) at 25 feet. Predicted vibration levels would not be anticipated to exceed recommended criteria for structural damage and human annoyance (0.2 and 0.1 in/sec ppv, respectively) at nearby land uses. As a result, short-term groundborne vibration impacts would be considered *less than significant*.

Table NOISE-1: Representative Vibration Source Levels for Construction Equipment

Equipment	Peak Particle Velocity at 25 Feet (In/Sec)		
Large Bulldozers	0.089		
Loaded Trucks	0.076		

Jackhammer	0.035
Small Bulldozers	0.003
Source: FTA 2006, Caltrans 2004	

Response c): Less than Significant with Mitigation. Generally, a project may have a significant effect on the environment if it will substantially increase the ambient noise levels for adjoining areas or expose people to severe noise levels. In practice, more specific professional standards have been developed. These standards state that a noise impact may be considered significant if it would generate noise that would conflict with local planning criteria or ordinances, or substantially increase noise levels at noise-sensitive land uses.

Existing noise-sensitive land uses in the project area consist primarily of residential dwellings to the east, south, and west of the project site. The nearest residences to the project are adjacent to the project site, to the east. However, the City of Manteca Zoning Code provides noise standards that generally prohibit use of land in a manner that creates any dangerous or injurious noise or vibration (Section 17.13.020 and 17.13.040). Additionally, Section 17.58.050 of the City of Manteca Municipal Code provides noise standards to ensure that the maximum sound level generated by any use or activity does not exceed the levels established in the City of Manteca General Plan Noise Element.

The proposed project would not directly generate increased noise beyond those activities commonly found in residential developments (noise from motor vehicles and minimal outdoor activities, such as those associated with the proposed Park/Basin area). The noise directly generated by the project would not differ substantially from the existing ambient noises currently generated by existing nearby residential uses. With implementation of Mitigation Measure NOI-1 (as provided under the previous impact discussion), the proposed project would not generate a substantial permanent increase in noise in the area. As such, this is a *less than significant* impact.

Response d): Less than Significant with Mitigation. The proposed project could result in temporary or periodic increases in ambient noise levels in the project vicinity above levels existing without the proposed project. These temporary or periodic increases in noise would be associated with the construction phase of the project. The construction of new buildings and infrastructure improvements associated with the proposed project will require construction activities. These activities include the use of heavy equipment and impact tools. Table NOISE-2 provides a list of the types of equipment which may be associated with construction activities and the associated noise levels.

Activities involved in project construction would typically generate maximum noise levels ranging from 85 to 90 dB at a distance of 50 feet. The nearest residential receptors would be located 25 to 50 feet or more from the majority of project construction activities. Because the project site is surrounded by existing residential neighborhoods, this temporary increase in construction noise is considered potentially significant.

Table NOISE-2: Construction Equipment Noise

	Predicted Noise Levels, L _{max} dB					s to Noise ers, feet
Type of Equipment	Noise Level at 50'	Noise Level at 100'	Noise Level at 200'	Noise Level at 400'	70 dB L _{max} contour	65 dB L _{max} contour
Backhoe	78	72	66	60	126	223
Compactor	83	77	71	65	223	397
Compressor (air)	78	72	66	60	126	223
Concrete Saw	90	84	78	72	500	889
Dozer	82	76	70	64	199	354
Dump Truck	76	70	64	58	100	177
Excavator	81	75	69	63	177	315
Generator	81	75	69	63	177	315
Jackhammer	89	83	77	71	446	792
Pneumatic Tools	85	79	73	67	281	500

SOURCE: ROADWAY CONSTRUCTION NOISE MODEL USER'S GUIDE. FEDERAL HIGHWAY ADMINISTRATION. FHWA-HEP-05-054. JANUARY 2006.

There is generally an increase in ambient noise between the hours of 7 a.m. and 7 p.m. By limiting the hours of construction to these hours, the potential for nuisance noise is reduced because project construction-related noise increases would be less noticeable. The use of mufflers on construction equipment would decrease the overall noise generated during construction. Because sound diminishes with distance, locating noise-generating equipment away from noise sensitive uses would reduce overall noise impacts associated with project construction. Implementation of the following mitigation measure would reduce impacts to a *less than significant* level.

Mitigation Measures

Mitigation Measure NOI-4: The following mitigation measures shall be implemented:

- a) Construction activities (excluding activities that would result in a safety concern to the public or construction workers) shall be limited to between the hours of 7:00 a.m. and 7:00 p.m. Construction activities shall be prohibited on Sundays and federal holidays.
- b) Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations.
- c) Construction equipment staging areas shall be located at the furthest distance possible from nearby noise-sensitive land uses.

Response e): No **Impact**. The project site is not located within two miles of a public airport. Since the project is not located within two miles of a public airport, there is **no impact**, and no mitigation is required.

Response f): No Impact. The project site is not located within two miles of a private airstrip. There is *no impact* relative to this topic.

XIII. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				Х
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Responses to Checklist Questions

Response a): According to the US Census population estimates, the population in Manteca in 2016 was 76,908 people, and there was an average of 3.15 persons per household. Based on these statistics. the proposed project would result in the construction of residential housing that would generate an estimated 485 people. This would provide an estimated 0.63 percent growth in population in Manteca. An estimated 0.63 percent growth in Manteca is not considered substantial growth in Manteca or the region and it is consistent with the assumed growth in the General Plan. The estimated 485 people may come from Manteca or surrounding communities. The proposed project would not include upsizing of offsite infrastructure or roadways. The installation of new infrastructure would be limited to the internal subdivision. The sizing of the infrastructure would be specific to the number of units proposed within the project site. Implementation of the proposed project would not induce substantial population growth in an area, either directly or indirectly. Implementation of the proposed project would have a *less than significant* impact relative to this topic.

Responses b), c): The project site currently undeveloped and does not contain housing. The proposed project would not displace housing or people. Implementation of the proposed project would have *no impact* relative to this topic.

XIV. PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?			X	
Police protection?			X	
Schools?			X	
Parks?			X	
Other public facilities?			X	

Responses to Checklist Questions

Response a): Less than Significant.

i) Fire Protection and Emergency Medical Services: The project area is in the Manteca Fire Department (MFD) service area. As of 2006, MFD's service area covers approximately 60 square miles in southern San Joaquin County. The Manteca Fire Department operates out of four (4) facilities that are strategically located in the City of Manteca. The Manteca Fire Department is headquartered in Station 242 located at 1154 South Union Road. This building serves as the Fire Department headquarters and the Fire Prevention Bureau. Fire training and emergency medical services are managed out of Station 241. The closest fire station to the project site is Fire Station 243, located at 399 West Louise Avenue, immediately north of State Route (SR) 120 on Union Road, approximately 0.3 miles southeast of the project site.

The Insurance Services Office (ISO) Public Protection Classification Program currently rates the Fire Department as THREE on a scale of 1 to 10, with 1 being the highest possible protection rating and 10 being the lowest. The ISO rating measures individual fire protection agencies against a Fire Suppression Rating Schedule, which includes such criteria as facilities and support for handling and dispatching fire alarms, first-alarm response and initial attack, and adequacy of local water supply for fire-suppression purposes.

Impact fees from new development are collected based upon projected impacts from each development. The adequacy of impact fees is reviewed on an annual basis to ensure that the fee is commensurate with the service. Payment of the applicable impact fees by the project applicant, and ongoing revenues that would come from property taxes and other revenues generated by the proposed project, would fund capital and labor costs associated with fire protection services.

The proposed project would increase the City populations by approximately 0.63 percent, as described under *Impact XIII. Population and Housing*. The Manteca Fire Department would be expected to be able to serve the proposed project without constructing new facilities or hiring additional personnel. Implementation of the proposed project would be *a less than significant* impact.

ii) Police Protection: Police services would be provided to the proposed project area by the Manteca Police Department (MPD). The Manteca Police Department is a full-service law enforcement agency and operates out of 1001 West Center Street, Manteca, approximately 1.3 miles southeast of the project site. The MPD currently has approximately 63 sworn officers. Table PS-1 shows the recent crime statistics for the City of Manteca between 2013 and 2015.

Table PS-1: Manteca Police Department Crime Statistics (2013-2015)

CATEGORY/CRIME	2013	2014	2015
Total Violent Crimes	212	176	213
Homicide	0	4	5
Rape	4	7	10
Robbery	79	73	82
Assault	129	92	116
Total Property Crimes	2,699	2,100	2,449
Burglary	489	314	420
Motor Vehicle Theft	327	346	405
Larceny	1,883	1,440	1,624
Arson	22	16	20

SOURCE: FBI CRIME STATISTICS; HTTPS://UCR.FBI.GOV/.

The City's General Plan includes policies and implementation measures that would allow for the Manteca Police Department to continue providing adequate staffing levels. Below is a list of relevant policies:

- The City shall endeavor through adequate staffing and patrol arrangements to maintain the minimum feasible police response times for police calls. Currently the City has 63 sworn officers. With a population of 71,164, that equates to a staffing level of .85 officers per 1000 residents.
- The City shall provide police services to serve the existing and projected population.
 The Police Department will continuously monitor response times and report annually on the results of the monitoring.

Impact fees from new development are collected based upon projected impacts from each development. The adequacy of impact fees is reviewed by the City on an annual basis to ensure that the fee is commensurate with the service. Payment of the applicable impact fees by the project applicant, and ongoing revenues that would come from property taxes, and other revenues generated by the proposed project, would fund capital and labor costs associated with police services.

The proposed project would increase the City population by approximately 0.63 percent, as described under *Impact XIII. Population and Housing*. The Manteca Police Department is expected to continue to have sufficient staff to serve the proposed project while maintaining acceptable response times. Implementation of the proposed project would be a *less than significant* impact.

iii) Schools: The proposed project is located within the service boundaries of the MUSD. MUSD provides school services for grades K through 12 within the communities of Manteca, Lathrop, Stockton, and French Camp. MUSD operates 14 elementary and middle schools (grades K-8), four high schools (grades 9-12), one community day school (grades 7-12), and one vocational academy (grades 11-12). The schools in the City had a total enrollment of approximately 14,279 students, of which 9,416 were enrolled in elementary and middle school (grades K – 8) and 4,863 were enrolled in high school (grades 9 – 12).

The proposed project includes residential units that would directly increase the student population in the area. The proposed project would include the development of approximately 154 single family dwelling units, which would directly cause population growth and increase enrollment in the local school districts. Utilizing the student generation rates provided by the MUSD in the *School Mitigation Fee Justification Study Final Draft Report* (March 2017), the proposed project would be expected to generate roughly 101 new students, broken down by grades as follows:

- K-6 (0.337 students/unit): 52 students
- 7-8 (0.101 students/unit): 16 students
- 9–12 (0.210 students/unit): 33 students

The MUSD charges impact fees from new developments under the provisions of SB 50. It is the City's goal to provide for the educational needs of Manteca residents (GP Goal PF-13). The General Plan establishes a policy to require "Financing of new school facilities to be planned concurrent with new development" (PF-P-33). To implement the City's General Plan goals and policies, they require all development projects to adhere to the State's laws regarding the payment of school impact fees that are established by the MUSD through their nexus study/fee justification efforts. The payment of these fees is the mechanism to finance school facilities. The City does not have the jurisdiction to physically build or alter school facilities, rather, they serve as the agency responsible for ensuring payment of the fees to the MUSD. The City has always fully cooperated with the MUSD in the collection of the school impact fees that have been established by MUSD. This is consistent with the General Plan.

Comments were provided by the MUSD on the first public review. The MUSD suggested a mitigation measure whereby the developer would need to join a Mello-Roos District or enter into a mitigation agreement to cover an amount above the level 1 fees that are charged by MUSD. A full response to the MUSD comment is provided in Appendix A. The MUSD provided a subsequent comment in response to the City's response. A full response to the MUSD comment is provided in Appendix B.

Overall, it is not clear how the MUSD has any legal basis for which to suggest that a "Mello-Roos District or mitigation agreement" is required as mitigation, nor does the MUSD clearly identify what such a mitigation measure would be mitigating (i.e. the warrant for mitigation), or how the MUSD would utilize funding to mitigate an impact. It is important to emphasize that a CEQA analysis focuses on "physical environmental impacts" associated with a project. A funding shortfall, or economic impact on a school district does not qualify as a "physical environmental impact" under CEQA. The City recognizes that economic impacts and school funding is critical to the success of the MUSD and is a consideration by the City Council when deliberating on discretionary approvals; however, economic impacts and funding shortfalls by the MUSD do not play a part in an environmental analysis unless there will be a physical environmental impact.

The MUSD has provided no indication that the proposed project, and the additional students generated by the proposed project (101 students), would result in a new physical environmental impact. The proposed project does not include the construction of a new or physically altered school facility that would have a significant impact on the environment. As such, implementation of the proposed project does not result in any "physical impacts associated with the provision of a new school facility, the construction of which could cause significant environmental impacts."

The MUSD also alludes to a "fair share of funding for adequate facilities", however, the Education Code (EC) 17620 grants the District the authority to impose school impact fees, and the MUSD had established impact fees as of March 2017. In Chawanakee Unified School Dist. v. County of Madera (June 21, 2011) 196 Cal.App.4th 1016, the court determined that Government Code section 65996(a) obviated the need to analyze and mitigate a development's direct impacts on existing school facilities in a CEQA document because Education Code sets forth "exclusive methods" for consideration and mitigation of such impacts.

The MUSD's *School Mitigation Fee Justification Study Final Draft Report* (March 2017) established the appropriate fee for all development in the City of Manteca. This fee established by the District is the fair share funding that the City will require of this development. By statute, the City and District cannot require fees beyond that allowed by the state law, and affirmed by the District through the recently approved nexus study. A suggestion to mandate fees beyond the maximum allowed by law within the CEQA document would require the City to violate state law. The City will continue to operate within the state law, and does not intend to mandate additional fees as mitigation.

The City will ensure that the proposed project pays the mandatory impact fees to the MUSD as established by the MUSD in their nexus study. As previously discussed, the proposed project does not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, or other performance objectives for school facilities. Therefore, the impact of the proposed project on the need for additional school facilities *is less than significant*.

iv) Parks: Manteca is home to more than 50 public park spaces totaling more than 400 acres. Parks and Recreation amenities include several baseball and softball diamonds, sports fields, picnic areas, barbecues, playgrounds and tot lots, a 3+ mile Class 1 bike and pedestrian path, lighted tennis courts, a BMX bicycle track, a skate park, an 18-hole municipal golf course, and a public swimming pool (with tot pool).

The proposed project would generate increased demand on Manteca's Park facilities. For the purposes of extractive and collecting fees to mitigate for increase park demands (Quimby Act), the California Government Code Section 66477 states: The amount of land dedicated or fees paid shall be based upon the residential density, which shall be determined on the basis of the approved or conditionally approved tentative map or parcel map and the average number of persons per household. There shall be a rebuttable presumption that the average number of persons per household by units in a structure is the same as that disclosed by the most recent available federal census or a census taken pursuant to Chapter 17 (commencing with Section 40200) of Part 2 of Division 3 of Title 4.

The proposed project includes an additional 2.5 acres of park space to serve the community and surrounding area. The City of Manteca Municipal Code states the following: in all new

subdivisions, developers are required to build and dedicate a neighborhood park that meets the required three acres per one thousand people per the adopted park acquisition and improvement fee update (Section 3.20.080).

The proposed project would increase the City population by approximately 485 persons, as described under *Impact XIII. Population and Housing*. Based on this estimate, the proposed project would be required to include approximately 1.455 acres of park land. The 2.5 acres of park space planned for the project site exceeds this requirement. The proposed project will result in a *less than significant* impact.

v) Other Public Facilities: Other public facilities in the City of Manteca include libraries, hospitals, and cultural centers such as museums and music halls. The proposed project would bring residents to the area which may require the use of other public services. The City collects impact fees from new development based upon projected impacts from each development, including impacts on other public services. The City also reviews the adequacy of impact fees on an annual basis to ensure that the fee is commensurate with services provided. Payment of the applicable impact fees by the project applicant, and ongoing revenues that would come from property taxes and other revenues generated by the proposed project, would fund capital and labor costs associated with these other public services.

The proposed project does not trigger the need for new facilities associated with other public services. Consequently, new facilities for other public services are not proposed at this time. The proposed project would not result in the need for new facilities for other public services, thus it will have a *less than significant* impact relative to this topic.

XV. RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Responses to Checklist Questions

Responses a): **Less than Significant**. As described under *Impact XIV. Public Services*, previously, the proposed project would provide sufficient on-site park space to satisfy the City's park requirements as described under Chapter 3.20 of the City of Manteca Municipal Code. Chapter 3.20 of the City of Manteca Municipal Code states that developers of new subdivisions are required to build and dedicate park that meets the required three acres per 1,000 people per the adopted park acquisition and improvement fee update. Implementation of the proposed project would satisfy this requirement, and therefore would have a *less than significant* impact to this topic.

Responses b): **No Impact**. The proposed project does not include the construction of recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment, beyond what has already been described throughout this IS/MND. Implementation of the proposed project would have **no impact** relative to this topic.

XVI. TRANSPORTATION AND TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			Х	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		X		
e) Result in inadequate emergency access?		X		
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			Х	

Responses to Checklist Questions

Responses a), b): Less than Significant with Mitigation. The proposed project would generate construction worker vehicle trips during the construction phase of the project. However, the expected increase in traffic to nearby roadways from construction vehicles would be miniscule over the lifespan of the proposed project. The construction phase of the project would be short-term in nature and would generate relatively few construction worker vehicles.

The proposed project would develop approximately 154 residential units, which would generate approximately 1,466 daily trips (single-family trip generation rate of 9.52 daily trips per unit) according to the Institute of Transportation Engineers trip generation rates (Trip Generation Manual, 9th Edition).

The project site is located directly adjacent to North Main Street. North Main Street is categorized as an arterial street, which is designed to serve through traffic and major local traffic generators such as residential, commercial, industrial, and institutional uses. Main Street begins at Lathrop Road (approximately 0.5 miles north of the project site) and continues south through the city into rural San Joaquin County. Main Street is primarily a built-out four-lane street within the city, including the area adjacent to and nearby the project site.

Fehr & Peers recently analyzed the segment of North Main Street located north of the existing portion of Northgate Drive (adjacent to the project site) as part of the General Plan Update (City of Manteca, 2017). This road segment currently maintains an LOS C and has approximately

11,200 average daily trips. The additional trips generated by the proposed project are anticipated to increase the average daily trips on this roadway to 12,666. The additional traffic is below the 17,100 daily trip capacity for this roadway design (4 lanes with 40+ speed limit).

The trip distribution analysis showed traffic in the following directions:

- 60% northbound (NB) Main Street towards Lathrop Road and the SR 99 / Lathrop Road Interchange
- 35% southbound (SB) Main Street towards downtown Manteca and the SR 120 / Main Street interchange
- 5 % westbound (WB) Northgate Drive towards Union Road and Airport Way
- 0% eastbound (EB) Aksland Drive towards Springtime Avenue and Louise Avenue

Since the proposed project would not generate a substantial increase in traffic or exceed the applicable LOS standards of the nearby roadway segment, and since the proposed project would be required to contribute any applicable fees to cover the proportionate cost of traffic improvements in order to satisfy their fair share obligations, the proposed project have a *less than significant* impact.

Mitigation Measures

Mitigation Measure TT-1: Prior to issuance of building permits, the project applicant(s) shall contribute all applicable fees to cover their proportionate cost improvements in order to satisfy their fair share obligations, as determined by the City of Manteca Public Works Department.

Response c): No Impact. The proposed project does not include airport or airstrip facilities and is not located adjacent to an airport or airstrip. Therefore, the proposed project would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. Implementation of proposed project would have *no impact* relative to this topic.

Responses d-e): Less than Significant with Mitigation. No site circulation or access issues have been identified that would cause a traffic safety problem/hazard or any unusual traffic congestion or delay within the proposed project. The volumes on the internal residential roadways (with residences fronting on them) would be relatively low such that no significant conflicts would be expected with through traffic and vehicles backing out of the driveways and/or garages within the project.

Emergency vehicles arriving to and from the proposed project would enter the project site from the west. There are two primary access points – one at the northwestern edge of the project site and one at the southwestern edge of the project site. All project site access points would be designed to City standards that accommodate turning requirements for fire trucks. An additional emergency access point would be available from the east through an EVA from Aksland Drive. The multiple entry/exit points provide flexibility for emergency vehicles to access or evacuate from multiple directions during an emergency.

The internal circulation network of the project site includes multiple access points, and two culde-sacs are also located within project site. One cul-de-sac is located in the northern portion of

the project site (at the intersection of Street D and the termination of the extension Northgate Drive) and the other is located in the southern portion of the project site (Court A), with each providing turn-around ability for large vehicles (including emergency vehicles such as fire trucks).

The traffic analysis shows that the proposed EVA that connects Aksland Drive and Northgate Drive would inhibit response time improvements for residents living along Aksland compared to a thru-road, as fire personnel would be required to stop, exit their emergency vehicle, and unlock the gate. Under ideal conditions, this can add an additional 60 to 90 seconds to the total emergency response time. During evening or weather conditions, this has the potential to add an additional 60 to 180 seconds to the total emergency response time. However, the Fire Department is able to maintain acceptable response times to that area under their current travel pattern. The EVA will provide the Fire Department with an alternative route.

At the proposed project entrances from North Main Street/Northgate Drive, there have been no safety, capacity, or sight distance issues identified. With implementation of Mitigation Measure TT-1, which requires the project applicant to contribute all applicable fees, implementation of the proposed project would have a *less than significant* impact relative to this topic.

Response f): Less than Significant. The Transportation & Circulation Element of the *City of Manteca General Plan 2023* (April 2011) includes the following goals and policies that are relevant to transportation and circulation:

- Policy C-P-29. Through regular updates to the City's Bicycle Master Plan, the City shall establish a safe and convenient network of identified bicycle routes connecting residential areas with recreation, shopping, and employment areas within the city. The City shall also strive to develop connections with existing and planned regional routes shown in the San Joaquin County Bicycle Master Plan.
- Policy C-P-36. City shall strive to provide a sidewalk system that serves all members of the community and meets the latest guidelines related to the Americans with Disabilities Act (ADA).
- **Policy C-P-40**. Provide sidewalks along all new streets in the City.

The proposed project does not conflict with any of the above listed policies from the General Plan Transportation & Circulation Element. The proposed project would incorporate sidewalks throughout all roadways within the project site. Bicycle connections to nearby roadways from the project site would also be made available, upon development of the proposed project.

In addition, the proposed project would not conflict with the Manteca Bicycle Master Plan (2003). The proposed project would not change the design of any existing pedestrian or bicycle facilities or create any new safety problems in the area. The proposed project will add a small amount of both pedestrians and bicyclists who will utilize both existing and planned facilities connecting the project site with the community at large. The internal streets will be designed to the City's standard for pedestrian sidewalks.

The proposed project would not interfere with any existing bus routes and would not remove or relocate any existing bus stops. San Joaquin Regional Transit bus routes 91 and 797 are located adjacent to the project site (along North Main Street). Route 91 connects Manteca to Stockton and Ripon with service weekdays between 6 AM and 9 PM. These bus routes would provide convenient access for residents to public transit destinations throughout San Joaquin

County. The proposed project would not conflict with any transit plans or goals of the City of Manteca. The proposed project would have a *less than significant* impact related to alternative transportation.

XVII. TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?		X		
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resources to a California Native American tribe.		X		

Background

Assembly Bill 52 (AB 52) requires a lead agency, prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report for a project, to begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project if: (1) the California Native American tribe requested to the lead agency, in writing, to be informed by the lead agency through formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with the tribe, and (2) the California Native American tribe responds, in writing, within 30 days of receipt of the formal notification, and requests the consultation. The City of Manteca has not received any requests from California Native American tribes to be informed through formal notification of proposed projects in the City's geographic area.

Responses to Checklist Questions

Responses a), b): Less than Significant with Mitigation. The City of Manteca General Plan 2023 and General Plan 2023 Draft Environmental Impact Report do not identify the site as having prehistoric period cultural resources. Additionally, there are no known unique cultural resources known to occur on, or within the immediate vicinity of the project site. No instances of cultural resources or human remains have been unearthed on the project site. Based on the above information, the project site has a low potential for the discovery of prehistoric, ethnohistoric, or historic archaeological sites that may meet the definition of Tribal Cultural Resources. Although no Tribal Cultural Resources have been documented in the project site, the proposed project is located in a region where cultural resources have been recorded and there remains a potential that undocumented archaeological resources that may meet the Tribal Cultural Resource definition could be unearthed or otherwise discovered during ground-

disturbing and construction activities. Examples of significant archaeological discoveries that may meet the Tribal Cultural Resources definition would include villages and cemeteries.

Due to the possible presence of undocumented Tribal Cultural Resources within the project site, construction-related impacts on tribal cultural resources would be potentially significant. Implementation of the following mitigation measures would require appropriate steps to preserve and/or document any previously undiscovered resources that may be encountered during construction activities, including human remains. Implementation of this measure would reduce this impact to a **less than significant** level.

Mitigation Measures

Implement Mitigation Measures CL-1 and CL-2.

XVIII. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			Х	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			Х	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?		X		
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			Х	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the providers existing commitments?			Х	
f) Be served by a landfill with sufficient permitted capacity to accommodate the projects solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			Х	

Background

Wastewater Treatment

Wastewater service is provided by the City of Manteca via their network of collection infrastructure and the Wastewater Quality Control Facility (WQCF), which is located north of the project site at 2450 West Yosemite Avenue. The WQCF provides services to the City of Manteca, City of Lathrop, and Raymus Village in San Joaquin County. As of 2010, the WQCF treated approximately 6.5 million gallons per day (mgd) of wastewater with a maximum capacity of 9.87 mgd as of 2015.

The City owns and operates the WQCF. The City's Wastewater Quality Control Facility Master Plan Update (2006), Manteca Municipal Services Review (2008), Wastewater Collection System Master Plan Update (2012), and Industrial Sewer System Service Charge Analysis (2013-2015) are the primary documents that outline the City's long-term strategy for meeting future discharge and capacity requirements for a planning horizon that extends to build-out of the General Plan. The City operates the facility under the Waste Discharge Requirements (WDRs)

Order No R5-2015-0026 NPDES NO. CA0081558. Currently, the Facility is designed to provide a tertiary level of treatment for up to a design flow of 9.87 MGD. Therefore, this Order contains an average dry weather discharge flow effluent limitation of 9.87 MGD. The WQCF is planning an upgrade and expansion project that would increase the treatment capacity from 9.87 MGD to 17.5 MGD. Upon compliance with Provision VI.C.6.b of Order No R5-2015-0026, an average dry weather discharge flow effluent limitation of 17.5 MGD will occur. ⁴

According to the *Wastewater Quality Control Facility Master Plan Update* (2006), the WQCF is a 6.95 mgd rated combined biofilter-activated sludge plant. Secondary effluent is land applied during the spring and summer (flood irrigation for agricultural production) and discharged to the San Joaquin River during the winter (October-March).

Wastewater Collection

The existing wastewater collection system is owned and operated by the City of Manteca Public Works Department. The use of gravity sewers for the collection system is the preferred method of conveyance. Although initially more expensive due to larger size and depth of installation, gravity sewers tend to have lower operation and maintenance costs and a reduced risk of failure. The collection system in the city is comprised of gravity flow pipes sized between 6 and 36 inches. In places where topography is relatively flat or adverse for the use of gravity sewers, force mains ranging in size from 6 to 24 inches, and 11 wastewater pump stations are utilized.

Potable Water

The City's current water distribution service area coincides with the city limits. Presently, the City limits encompass an area of about 13,400 acres. The total existing developed land is made up of approximately 64 percent residential land uses, 18 percent commercial, industrial, and institutional land uses, and 18 percent agriculture, parks, landscape, and other land uses. Water demands not served by the City (e.g., agriculture, schools) rely on private groundwater wells and SSIID surface water for their supply.

Responses to Checklist Questions

Responses a) Less than Significant. The City of Manteca's wastewater treatment system is currently in compliance with the WDR requirements of Order No. R5-2015-0026 NPDES NO. CA0081558. The wastewater treatment system options covered under this Order include: City of Manteca WQCF including the collection system, basin/disposal fields, discharge to the San Joaquin River, and recycling conveyance and irrigation system. The development of the proposed project under this permitted option would not exceed the wastewater discharge requirements in this Order. The proposed project is anticipated to have a *less than significant* impact relative to this topic.

Responses b), e) Less than Significant. The City's 2012 *Wastewater Quality Control Facility Master Plan Update* includes projected wastewater generation factors for various land uses. Based on these calculations it was determined that the City will have flows totaling 19.5 mgd as of the General Plan horizon of 2023 with a buildout capacity of 23.0 mgd. According to the City's *Wastewater Collection System Master Plan Update,* Low Density Residential uses are estimated to generated 1,338 gallons per acre per day. The project site includes 23.72 acres of Low Density Residential land uses. Using this rate, the proposed Low Density Residential uses would

http://www.swrcb.ca.gov/rwqcb5/board_decisions/adopted_orders/san_joaquin/r5-2015-0026.pdf

generate approximately 31,737 gallons per day (gpd) of wastewater, which is equivalent to 0.031737 mgd. The proposed project would increase the amount of wastewater requiring treatment by approximately this amount. The wastewater would be treated at the WQCF. Occupancy of the proposed project would be prohibited without sewer allocation.

According to the *Wastewater Quality Control Facility Master Plan Update* (2006), the WQCF is a 6.95 mgd rated combined biofilter-activated sludge plant. The *Wastewater Quality Control Facility Master Plan Update* (2006) specifies that sufficient capacity at the WQCF is currently available to serve the City of Manteca. The project applicant would be required to pay the City's applicable Public Facilities Infrastructure Payment (PFIP) fee, which would help to finance expansion of the WQCF. However, the proposed project in and of itself would not cause an expansion of the WQCF.

New wastewater collection and conveyance infrastructure needed for the proposed project will require trenching/excavation of earth, and placement of pipe within the trenches at specific locations, elevations, and gradients. The applicant will refine the existing wastewater collection/conveyance infrastructure design through the development of improvements plans which undergo a review by the Public Works Department to ensure consistency with the City's engineering standards. This improvement plan process will include full engineering design (i.e. location, depth, slope, etc.) of all conveyance infrastructure and facilities. Ultimately, the sanitary sewer collection system will be an underground collection system installed as per the City of Manteca standards and specifications. Sanitary sewer disposal and treatment will be conveyed to the City of Manteca WQCF.

Wastewater from the project site will be collected and conveyed via a network of gravity flow sewer main lines serving the development. An internal pipe collection system having various diameters will be installed within the project site. These future on-site effluent collection facilities will discharge into the City system at various locations, including along North Main Street. Furthermore, the project applicant would be required to pay applicable connection fees.

The City's available capacity would ensure that there would not be a determination by the wastewater treatment and/or collection provider that there is inadequate capacity to serve the proposed project's projected demand in addition to the provider's existing commitments. Any expansion of existing wastewater treatment facilities required to serve the proposed project would not generate significant new environmental effects, beyond those already addressed throughout this Initial Study. Payment of the City's PFIP fee would ensure this impact is *less than significant*.

Response c): Less than Significant with Mitigation. Development of the project site would place impervious surfaces on the approximately 30.17-acre project site. Development of the project site would potentially increase local runoff, and would introduce constituents into storm water that are typically associated with urban runoff. These constituents include heavy metals (such as lead, zinc, and copper) and petroleum hydrocarbons. BMPs will be applied to the proposed site development to limit the concentrations of these constituents in any site runoff that is discharged into downstream facilities to acceptable levels.

The project would be designed and constructed with an on-site storm drainage basin. The water quality basin would be located in the northeastern portion of the project site. In addition, stormwater from impervious surfaces would be directed to the existing SSJID storm drain located along the southern boundary of the project site. The construction of the stormwater conveyance and detention system would ensure that the project is consistent with all applicable

plans and regulations related to stormwater conveyance and detention as required by the City, and would ensure that offsite, or onsite flooding does not occur during storm events. Permanent onsite storm drainage would be installed to serve the proposed project. The collection system would consist of inlets and underground piping. The potential environmental impacts of construction of the onsite storm drainage system are addressed throughout this Initial Study.

All of the storm drainage facilities required for the proposed project would be located on the project site. As such, there is no potential for the project to result in environmental impacts associated with the construction of off-site drainage facilities. The environmental impacts associated with the construction of onsite drainage facilities fall within the project "footprint" and have been addressed throughout this environmental document.

The following mitigation measure requires the project applicant to install a drainage system that meets this performance standard and, prior to issuance of grading permits, provide a drainage plan and report to the City of Manteca for review and approval. With the implementation of the following mitigation measure, drainage impacts would be reduced to *less than significant*.

Mitigation Measures
Implement Mitigation Measure HYD-2.

Response d): Less than Significant. Potable water for the proposed project would be supplied from the City's municipal water system. The City of Manteca provides potable water to all residents and commercial customers within the city limits. It is anticipated that water supply for the proposed project would be local groundwater and treated surface water from SSJID's SCWSP. The proposed water use factors used to determine the proposed project water demand are shown below.

Table UTIL-1: Water Use Factors by Land Use Type

	WATER USE FA	ACTOR, (GPD/AC)
LAND USE DESIGNATION	2005 WATER MASTER PLAN(A)	ADJUSTED FOR SBX7-7(B)
Low Density Residential (LDR)	2,800	2,240 ^(b)

SOURCE: CITY OF MANTECA 2015 URBAN WATER MANAGEMENT PLAN (JULY 2016)

NOTES: GPD/AC = GALLONS PER DAY PER ACRES

(A) BASED ON UNIT WATER DEMAND FACTORS ESTABLISHED IN THE 2005 CITY OF MANTECA WATER MASTER PLAN. THESE FACTORS ASSUME A PER CAPITA WATER USE OF APPROXIMATELY 225 GPCD AND DO NOT ACCOUNT FOR CONSERVATION MEASURES.

(B) BASED ON A 20 PERCENT REDUCTION OF FACTORS SHOWN IN THE 2005 CITY OF MANTECA WATER MASTER PLAN. THESE FACTORS ASSUME THAT THE CITY IS ABLE TO MEET ITS PER CAPITA WATER USE TARGET OF 179 GPCD.

The applicant for the proposed project will provide their proportionate share of required funding to the City for the acquisition and delivery of treated potable water supplies to the proposed project site through connection fees and other means. This arrangement will be outlined within the Development Agreement between the project applicant and the City. The Development Agreement will be completed and approved as part of the City's formal land use actions.

The City has adequate water supplies to support existing demand in the City in addition to the proposed project under average daily and maximum daily demand conditions. Water demand for current and proposed uses in the City of Manteca is 21,894 AFY. The City has a projected total supply of 26,428 AFY in the year 2020, leaving 4,534 AFY available (City of Manteca,

2016). Based on a water use factor of 2,240 gallons per day per acre (gpd/ac), as shown in Table UTL-1, the proposed project's water demand is 59 AFY. This is well within the available potable water supply of 4,534 AFY.

The City's existing and additional potable water supplies are sufficient to meet the City's existing and projected future potable water demands to the year 2040 under all hydrologic conditions. The proposed project would not result in insufficient water supplies available to serve the proposed project from existing entitlements and resources. Therefore, the proposed project would result in a *less than significant* impact to water supplies.

Responses f), g): Less than Significant. The City's Public Works Department Solid Waste Division (SWD) manages solid waste and green waste collection and disposal. Residential refuse is collected every week in brown carts and is collected weekly. The City also provides a special service pick-up for large amounts of waste, to be priced on-site. The City complies with all solid waste regulations relevant for recycling and solid waste disposal.

Solid waste from Manteca is primarily landfilled at the Forward Sanitary Landfill, located northeast of Manteca. Other landfills used include Foothill Sanitary and North County. All three landfills are summarized in Table UTIL-1 below. Table UTIL-2 summarizes the City of Manteca's disposal rate targets, as identified by Cal Recycle.

Table UTIL-1: City of Manteca Landfill Summary

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LANDFILL	LOCATION	MAXIMUM DAILY THROUGHPUT (TONS/DAY)	REMAINING CAPACITY (CUBIC YARDS)	ANTICIPATED CLOSURE DATE
Forward Sanitary	Manteca	8,668	23.7 Million	2020
Foothill Sanitary	Linden	1,500	125.0 Million	2054
North County	Victor	825	35.4 Million	2035

SOURCE: CAL RECYCLE, 2016.

Table UTIL-2: City of Manteca Waste Disposal Rate Targets (Pounds/Day)

Рори	LATION	Employment			
Target	Annual	Target	Annual		
5.6	4.7	21.1	19.1		

SOURCE: CAL RECYCLE, 2011.

Permitted maximum disposal at the Forward Landfill is 8,668 tons per day. The total permitted capacity of the landfill is 51.04 million cubic yards, which is expected to accommodate an operational life until January 1, 2020. The remaining capacity is 23,700,000 cubic yards (CalRecycle, 2017). Solid waste generated by the proposed project was estimated based on CalRecycle generation rate estimates by use.

The proposed project would not generate solid waste beyond levels normally found in single family residential developments. Given that a typical resident of the City of Manteca generates approximately 5.6 pounds of waste per day, the approximately 485 residents that would be generated by the proposed project would generate a total of approximately 2,716 pounds per day. Based on the available landfill space, this would be a negligible impact on the capacity of landfills that currently serve the City of Manteca. The proposed project would comply with all federal, state, and local statutes and regulations related to solid waste, and would be served by

landfills with sufficient permitted capacity to accommodate the proposed project. This is a *less than significant* impact.

XVIX. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Responses to Checklist Questions

Response a): Less than Significant. This Initial Study includes an analysis of the project impacts associated with aesthetics, agricultural and forest resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation and traffic, and utilities and service systems. The analysis covers a broad spectrum of topics relative to the potential for the proposed project to have environmental impacts. This includes the potential for the proposed project to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. It was found that the proposed project would have either no impact, a less than significant impact, or a less than significant impact with the implementation of mitigation measures. For the reasons presented throughout this Initial Study, the proposed project would not substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. With the implementation of mitigation measures presented in this Initial Study, the proposed project would have a *less than significant* impact relative to this topic.

Response b): Less than Significant. This Initial Study includes an analysis of the project impacts associated with aesthetics, agricultural and forest resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and

hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation/traffic, and utilities and service systems. The analysis covers a broad spectrum of topics relative to the potential for the proposed project to have environmental impacts. It was found that the proposed project would have either no impact, a less than significant impact, or a less than significant impact with the implementation of mitigation measures. These mitigation measures would also function to reduce the project's contribution to cumulative impacts.

The project would increase the population and use of public services and systems; however, it was found that there is adequate capacity to accommodate the project.

There are no significant cumulative or cumulatively considerable effects that are identified associated with the proposed project after the implementation of all mitigation measures presented in this Initial Study. With the implementation of all mitigation measures presented in this Initial Study, the proposed project would have a *less than significant* impact relative to this topic.

Response c): Less than Significant. The construction phase could affect surrounding neighbors through increased air emissions, noise, and traffic; however, the construction effects are temporary and are not substantial. The operational phase could also affect surrounding neighbors through increased air emissions, noise, and traffic; however, mitigation measures have been incorporated into the proposed project that would reduce the impacts to a less than significant level. The proposed project would not cause substantial adverse effects on human beings. Implementation of the proposed project would have a *less than significant* impact relative to this topic.



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INITIAL STUDY

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APPENDIX A – ORIGINAL RESPONSE TO COMMENTS AND ERRATA

A Land Use Planning, Design, and Environmental Firm

Responses to Comments and Errata for the North Main Commons Subdivision Project

Introduction and List of Commenters

The Initial Study / Mitigated Negative Declaration (IS/MND) for the North Main Commons Subdivision Project was available for the statutory 30-day public review from March 2, 2018 to April 2, 2018. No new significant environmental impacts or issues, beyond those already covered in the IS/MND for the North Main Commons Subdivision Project, were raised during the comment period.

The following table lists the comments on the IS/MND that were submitted to the City of Manteca during the 30-day public review period for the IS/MND. The assigned comment letter, letter date, letter author, and affiliation, if presented in the comment letter or if representing a public agency, are also listed. Letters received are coded with letters (A, B, C, etc.).

LIST OF COMMENTERS ON IS/MND

RESPONSE LETTER/ NUMBER	INDIVIDUAL OR SIGNATORY	AFFILIATION	DATE
A	Linda Weber	Resident	3-9-2018
В	Craig & Cindy Killough	Resident	3-11-2018
С	Teresa Mannen	Resident	3-15-2018
D	Benjamin Cantu	BC Planning Land Use Planning & Design	3-21-2018
Е	Benjamin Cantu	BC Planning Land Use Planning & Design	3-21-2018
F	Erika E. Durrer	Manteca Unified School District	3-22-2018
G	Stephanie Tadlock	Central Valley Regional Water Quality Control Board	3-26-2018
Н	Residents	Residents Petition	4-2-2018
I	Travis Yokoyama	San Joaquin Council of Governments	4-2-2018
J	Scott Morgan	State of California Governor's Office of Planning and Research	4-3-2018
К	Laurel Boyd	San Joaquin Council of Governments	4-9-2018

Errata

This document also includes minor edits and changes to the IS/MND. These modifications resulted from responses to comments received during the public review period for the IS/MND, as well as City

staff-initiated edits to clarify language and implementation of mitigation measures. These changes are provided in revision marks with <u>underline for new text</u> and strike out for deleted text.

Responses to Comment Letters

Written comments on the IS/MND are reproduced on the following pages, along with responses to those comments. To assist in referencing comments and responses, the following coding system is used (as necessary):

- Those comments received are represented by a lettered response.
- Each letter is lettered (i.e., Letter A) and each comment within each letter is numbered (i.e., comment A-1, comment A-2).

Subject: Responses to Comments and Errata for the North Main Commons Subdivision Project MND

Date: May 21, 2018

Paszkowski, Adam

 From:
 Linda Weber <spark1552003@msn.com>

 Sent:
 Friday, March 09, 2018 12:06 PM

To: Paszkowski, Adam

Subject: FW: Proposed North Main Commons

From: Linda Weber

Sent: Friday, March 9, 2018 9:20:35 AM

To: apaszowski@cci.manteca

Subject: Proposed North Main Commons

When my husband and I purchased our house 18 years ago on Andrew Lane. We purchased the house knowing the property behind

Our house was Commercial. Our house is a custom home. We only have one story homes in Springtime Estates. Our street only

Has 11 one story homes.

Now looking at your plan, 18 homes will be behind our one story homes. We did not purchase our house to only have 18 2-story homes planted behind us. We have a pool and spa. I really do not want homes looking at me in the pool. We have had privacy for 18 years.

Fences will have to be replaced for all Andrew Lane. Our fences are only 5ft 2 inches on our side. The fence should at least be 6 ft.

Our other concerns our Solar. Many of us have solar. Build a 2 story behind us and is the city going to pay for our solar panels having to

Be moved or changed to get maximum sun coverage?

Opening Askland Drive to Northgate will only cause more traffic concerns and robberies. Our little neighborhood is not protected by Manteca police. But a neighborhood watch. We do not want Askland Drive opened. Make a court there. The city must figure out another way. A thorough fare thru the neighborhood will increase the traffic that we do not need.

Our whole street is up in arms on the city re-zoning this property. If we all would of know this was to happen, we would not have purchased our homes here.

Traffic already is ridicules on Louise, Main, Cottage. By adding 450 plus homes in this area, the city needs to come up with a much

Better plan than a round about on Louise.

Many people in Springtime, Askland, and Andrew Lane want a meeting with Manteca Community Development ASAP. When can this be schedule?

I will not be the only person notifying the City about this situation.

Best regards,

1

A-1

A-2

A-3

Subject: Responses to Comments and Errata for the North Main Commons Subdivision Project MND Date: May 21, 2018

Linda Weber spark1552003@msn.com

Response to Letter A: Linda Weber

Response A-1:

The commenter notes that she and her husband purchased their house on Andrew Lane 18 years ago knowing that the property behind their house was undeveloped but planned for Commercial. She notes that her house is a custom one-story home in Springtime Estates. She notes that there are 11 one story homes in this neighborhood and that the proposed project would create 18 homes that will back up to their one-story homes.

This comment is an introductory statement and presentation of background information regarding the commenter's history living in Springtime Estates. No further response is warranted.

Response A-2:

The commenter states "We did not purchase our house to only have 18 2-story homes planted behind us. We have a pool and spa. I really do not want homes looking at me in the pool. We have had privacy for 18 years. Fences will have to be replaced for all Andrew Lane. Our fences are only 5ft 2 inches on our side. The fence should at least be 6 ft."

This comment is noted. This City has zoning and building standards for building height, setbacks, and fencing height within a residential zone. The City will ensure that requirements are adhered to in the building plans. The zoning code allows a maximum building height of 30 feet in the R1 zone, which would allow a two-story residence. The building would be required to be setback 15 feet from the rear property line in accordance with the setback requirements in the zoning ordinance. Additionally, the zoning ordinance calls for a maximum fence height of six feet. The City will impose these standards on the residences just as they would for any residence in the R1 zone in other parts of the City. It is noted that the property owner could volunteer to restrict the 18 lots along the eastern side of the project to one-story residences, however, the City cannot impose standards that are stricter then the zoning ordinance allows.

Response A-3:

The commenter states "Our other concerns our Solar. Many of us have solar. Build a 2 story behind us and is the city going to pay for our solar panels having to Be moved or changed to get maximum sun coverage?"

This comment is noted. This City has zoning and building standards for building height and setbacks within a residential zone. The City will ensure that requirements are adhered to in the building plans. The zoning code allows a maximum building height of 30 feet in the R1 zone, which would allow a two-story residence. The building would be required to be setback 15 feet from the rear property line in accordance with the setback requirements in the zoning ordinance. The City will impose these standards on the residences just as they would for any residence in the R1 zone in other parts of the City. It is noted that the property owner could volunteer to restrict the 18 lots along the eastern side

Subject: Responses to Comments and Errata for the North Main Commons Subdivision Project MND Date: May 21, 2018

of the project to one-story residences, however, the City cannot impose standards that are stricter then the zoning ordinance allows.

Response A-4:

The commenter states "Opening Askland Drive to Northgate will only cause more traffic concerns and robberies. Our little neighborhood is not protected by Manteca police. But a neighborhood watch. We do not want Askland Drive opened. Make a court there. The city must figure out another way. A thorough fare thru the neighborhood will increase the traffic that we do not need. Our whole street is up in arms on the city re-zoning this property. If we all would of know this was to happen, we would not have purchased our homes here. Traffic already is ridicules on Louise, Main, Cottage. By adding 450 plus homes in this area, the city needs to come up with a much better plan than a roundabout on Louise."

It is noted that the City has always planned to connect Askland Drive to Northgate. This has been a planned extension in the General Plan Circulation Element, and is why the existing design of Askland Drive is not a cul-de-sac, rather it is a terminus with barriers. Regardless of this planned roadway extension, the City has engaged a traffic engineer to analyze Askland Drive for a thru-way and non thru-way road. The following presents the analysis by Fehr and Peers.

A detailed AM peak hour, PM peak hour, and Daily trip generation and trip distribution analysis was completed for the following two roadway alternatives:

- Extension of Aksland Drive from its current terminus at Andrew Lane to the future four legged signalized intersection at Main Street / Northgate Drive; and
- 2. Emergency Vehicle Access (EVA) gated access only between Aksland Drive and the future four legged signalized intersection at Main Street / Northgate Drive.

Trip Generation Analysis: The trip generation of the proposed project was estimated for Daily, AM peak hour, and PM peak hour conditions using trip rates published in the Trip Generation 9th Edition (ITE, 2012). Table 1 summarizes the estimated trip generation of the project. Based on the project's land use plan, the proposed project would generate the following:

- During the morning peak hour (7:00 to 8:00 AM) A total of 117 vehicle trips, with 29 inbound and 88 outbound;
- During the evening peak hour (5:00 to 6:00 PM) A total of 157 vehicle trips, with 99 inbound and 58 outbound; and
- On a Daily Basis (24 hours) A total of 1,492 vehicle trips, with 746 inbound and 746 outbound.

Subject: Responses to Comments and Errata for the North Main Commons Subdivision Project MND

Date: May 21, 2018

TAB	LE 1
PROJECT TRIP GI	ENERATION

	Quantity	ITE Land	Pea	k Hour Rate ¹	Trip					Tri	ps			
Land Use	[1,000 sf]	Use Code	АМ	PM	Daily	AN In	AM Peak Hour		PM Peak Hour In Out Total		Daily In Out Total			
Single Family Detached Housing	158	210	0.74	0.99	9.44	29	88	117	99	58	157	746	746	1,492

Notes:

1. Trip rates from Trip Generation (ITE, 10th Edition - 2017)

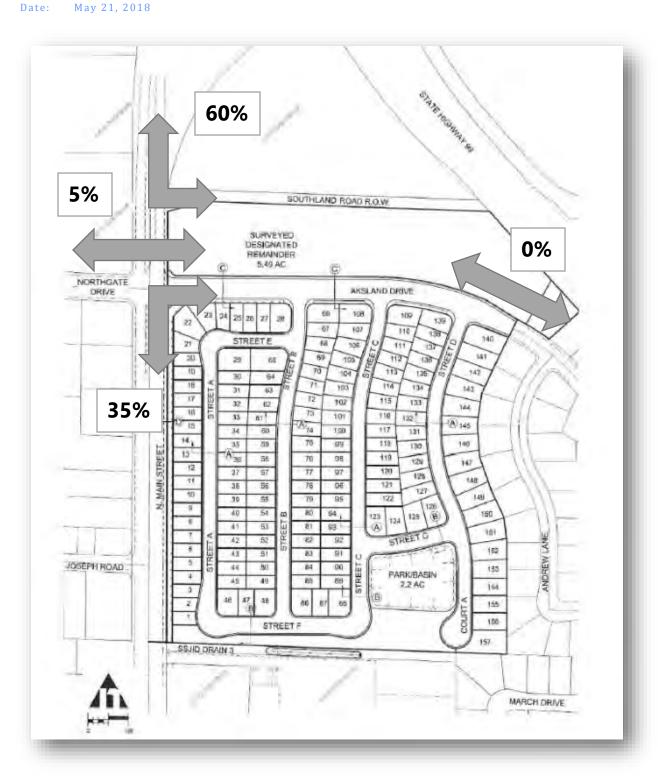
Source: Fehr & Peers, 2018

Project Distribution and Assignment: The City of Manteca Travel Demand Forecasting Model was used to determine how project-generated traffic would enter and exit the North Main Commons Subdivision based on the following two roadway alternatives:

- 1. Alternative A Extension of Aksland Drive from its current terminus at Andrew Lane to the four legged signalized intersection at Main Street / Northgate Drive; and
- 2. Alternative B Emergency Vehicle Access (EVA) gated access only between Aksland Drive and the four legged signalized intersection at Main Street / Northgate Drive.

Results of Alternative A: The analysis shows that during all three time periods, a combination of the following parameters result in all project-generated traffic using the Main Street / Northgate Drive / Aksland Drive intersection:

- Proximity of the project site to Main Street;
- Signalized full access intersection
- Distribution of traffic to the following directions:
 - 60% NB Main Street towards Lathrop Road and the SR 99 / Lathrop Road Interchange
 - 35% SB Main Street towards downtown Manteca and the SR 120
 / Main Street interchange
 - o 5 % WB Northgate Drive towards Union Road and Airport Way
 - o 0% EB Aksland Drive towards Springtime Avenue and Louise Avenue



North Main Commons Project Trip Distribution

Subject: Responses to Comments and Errata for the North Main Commons Subdivision Project MND Date: May 21, 2018

It should be noted that the extension of Aksland Drive from its current terminus at Andrew Lane to the Main Street / Northgate Drive / Aksland Drive intersection would also result in the following traffic circulation changes:

- A small percentage of the existing residences located in the neighborhood bounded by Louise Avenue to the south, Ward Avenue / April Avenue to the East and Springtime Avenue would use Aksland Drive to and from the Main Street / Northgate Drive / Aksland Drive intersection. This would be approximately 10 vehicle trips during morning and evening peak hours; and
- No cut through traffic from Louise Avenue or Main Street would use Aksland Drive to and from the Main Street / Northgate Drive / Aksland Drive intersection.

Results of Alternative B: If an Emergency Vehicle Access (EVA) gate access is only provided between Aksland Drive and the four legged signalized intersection at Main Street / Northgate Drive, response times would be increased as fire personnel would be required to stop, exit their emergency vehicle, and unlock the gate. Under ideal conditions, this can add an additional 60 to 90 seconds to the total emergency response time. During evening or weather conditions, this has the potential to add an additional 60 to 180 seconds to the total emergency response time.

And because no (0%) of North Main Commons traffic is projected to use Aksland Drive east of the project site, the EVA gate access alternative would negatively impact emergency response times to and from the existing neighborhood and Springtime Park. Therefore, Alternative B (EVA gate access only) is not recommended based on traffic circulation and potential adverse impacts to emergency response times.

Response A-5:

The commenter concludes by stating "Many people in Springtime, Askland, and Andrew Lane want a meeting with Manteca Community Development ASAP. When can this be schedule? I will not be the only person notifying the City about this situation."

This comment is noted. There will be the opportunity for any members of the public to express any of their views during the upcoming Planning Commission and City Council meetings. This is an open and public process whereby citizens are free to provide their verbal input in the public meeting. All input provided will be considered by the Planning Commission and the City Council.

Subject: Responses to Comments and Errata for the North Main Commons Subdivision Project MND

Date: May 21, 2018

Paszkowski, Adam

From: Schimmelfennig, Lisa

Sent: Monday, March 12, 2018 7:13 AM

To: Paszkowski, Adam Cc: Hightower, Jeffrey

Subject: FW: Proposal of North Main Commons

From: cindy killough [mailto:cindy1823@me.com]

Sent: Sunday, March 11, 2018 10:50 AM

To: MantecaPlanning

Subject: Proposal of North Main Commons

Mr. Paszowski

We are writing regarding the proposal of the North Main Commons, we have lived on Springtime Ave for 34years (1984) this proposal of these 158 homes and doing an extension Aksland/Springtime Estates will be a total nightmare, along with these homes they are building a gas station on North Main St, this will put more traffic onto Lancaster/Springtime Ave along with the traffic with the proposal of these homes. As traffic from Northgate Ave will come straight down the Aksland Estates and onto Springtime Ave to avoid the electric signals on Louise/Main St.

B-1

Springtime Estates/Aksland Estates area is not designed to handle all of this added traffic it already has with short-cuts that drivers are doing to avoid the signals on Louise/Main. Then comes the problem we already have with Springtime Ave turning left onto Louise, take a drive starting around 4pm, you can't make the left hand turn with all the traffic on Louise Ave, putting an extention down in this area is going to create a back-up into Springtime Ave./Askland Estates.

B-2

Maybe with a proposal this new development North Main Commons could be a gated community it will elevate the traffic issue, only the residents of NMC would have access to these streets.

B-3

Thank you Craig & Cindy Killough Subject: Responses to Comments and Errata for the North Main Commons Subdivision Project MND Date: May 21, 2018

Response to Letter B: Craig & Cindy Killough

Response B-1:

The commenters note that they have lived on Springtime Avenue for 34 years (since 1984), and that "the proposal of these 158 homes and doing an extension of Aksland/Springtime Estates will be a total nightmare, along with these homes they are building a gas station on North Main St., this will put more traffic onto Lancaster/Springtime Ave along with traffic with the proposal of these homes. As traffic from Northgate Ave will come straight down the Aksland Estates and onto Springtime Ave to avoid the electric signals on Louise/Main St."

It is noted that the City has always planned to connect Askland Drive to Northgate. This has been a planned extension in the General Plan Circulation Element, and is why the existing design of Askland Drive is not a cul-de-sac, rather it is a terminus with barriers. Regardless of this planned roadway extension, the City has engaged a traffic engineer to analyze Askland Drive for a thru-way and non thru-way road. The following presents the analysis by Fehr and Peers.

A detailed AM peak hour, PM peak hour, and Daily trip generation and trip distribution analysis was completed for the following two roadway alternatives:

- Extension of Aksland Drive from its current terminus at Andrew Lane to the future four legged signalized intersection at Main Street / Northgate Drive; and
- 2. Emergency Vehicle Access (EVA) gated access only between Aksland Drive and the future four legged signalized intersection at Main Street / Northgate Drive.

Trip Generation Analysis: The trip generation of the proposed project was estimated for Daily, AM peak hour, and PM peak hour conditions using trip rates published in the Trip Generation 9th Edition (ITE, 2012). Table 1 summarizes the estimated trip generation of the project. Based on the project's land use plan, the proposed project would generate the following:

- During the morning peak hour (7:00 to 8:00 AM) A total of 117 vehicle trips, with 29 inbound and 88 outbound;
- During the evening peak hour (5:00 to 6:00 PM) A total of 157 vehicle trips, with 99 inbound and 58 outbound; and
- On a Daily Basis (24 hours) A total of 1,492 vehicle trips, with 746 inbound and 746 outbound.

Subject: Responses to Comments and Errata for the North Main Commons Subdivision Project MND

Date: May 21, 2018

TABLE 1
PROJECT TRIP GENERATION

Land Use	Quantity [1,000 sf]	ITE Land Use Code	Peak Hour Trip Rate ¹			Trips								
			АМ	РМ	Daily	AM Peak Hour			PM Peak Hour			Daily In Out Total		
Single Family Detached Housing	158	210	0.74	0.99	9.44	29	88	117	99	58	157	746	746	1,492

Notes:

2. Trip rates from Trip Generation (ITE, 10th Edition - 2017)

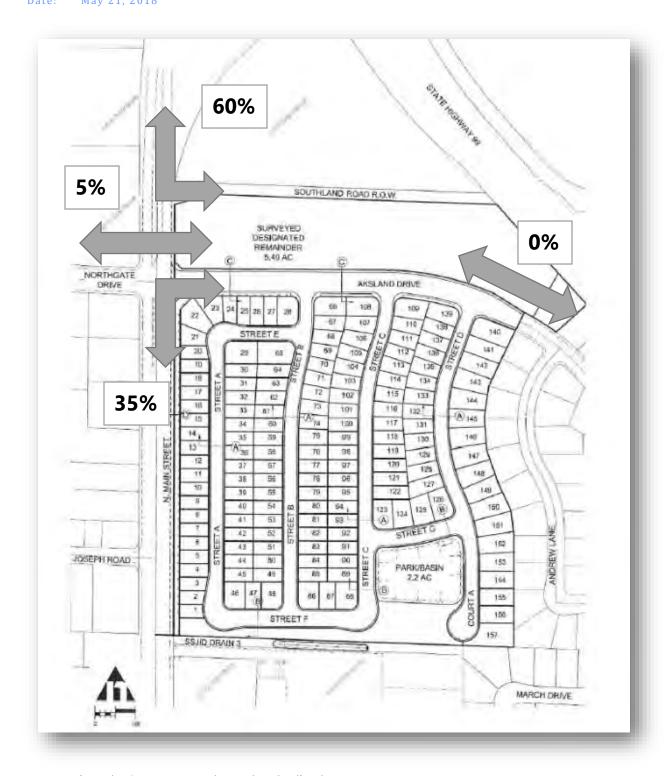
Source: Fehr & Peers, 2018

Project Distribution and Assignment: The City of Manteca Travel Demand Forecasting Model was used to determine how project-generated traffic would enter and exit the North Main Commons Subdivision based on the following two roadway alternatives:

- Alternative A Extension of Aksland Drive from its current terminus at Andrew Lane to the four legged signalized intersection at Main Street / Northgate Drive; and
- 2. Alternative B Emergency Vehicle Access (EVA) gated access only between Aksland Drive and the four legged signalized intersection at Main Street / Northgate Drive.

Results of Alternative A: The analysis shows that during all three time periods, a combination of the following parameters result in all project-generated traffic using the Main Street / Northgate Drive / Aksland Drive intersection:

- Proximity of the project site to Main Street;
- Signalized full access intersection
- Distribution of traffic to the following directions:
 - 60% NB Main Street towards Lathrop Road and the SR 99 / Lathrop Road Interchange
 - 35% SB Main Street towards downtown Manteca and the SR 120
 / Main Street interchange
 - o 5 % WB Northgate Drive towards Union Road and Airport Way
 - o 0% EB Aksland Drive towards Springtime Avenue and Louise Avenue



North Main Commons Project Trip Distribution

It should be noted that the extension of Aksland Drive from its current terminus at Andrew Lane to the Main Street / Northgate Drive / Aksland Drive intersection would also result in the following traffic circulation changes:

- A small percentage of the existing residences located in the neighborhood bounded by Louise Avenue to the south, Ward Avenue / April Avenue to the East and Springtime Avenue would use Aksland Drive to and from the Main Street / Northgate Drive / Aksland Drive intersection. This would be approximately 10 vehicle trips during morning and evening peak hours; and
- No cut through traffic from Louise Avenue or Main Street would use Aksland Drive to and from the Main Street / Northgate Drive / Aksland Drive intersection.

Results of Alternative B: If an Emergency Vehicle Access (EVA) gate access is only provided between Aksland Drive and the four legged signalized intersection at Main Street / Northgate Drive, response times would be increased as fire personnel would be required to stop, exit their emergency vehicle, and unlock the gate. Under ideal conditions, this can add an additional 60 to 90 seconds to the total emergency response time. During evening or weather conditions, this has the potential to add an additional 60 to 180 seconds to the total emergency response time.

And because no (0%) of North Main Commons traffic is projected to use Aksland Drive east of the project site, the EVA gate access alternative would negatively impact emergency response times to and from the existing neighborhood and Springtime Park. Therefore, Alternative B (EVA gate access only) is not recommended based on traffic circulation and potential adverse impacts to emergency response times.

Response B-2:

The commenters state that "Springtime Estates/Aksland Estates area is not designed to handle all of this added traffic it already has with short-cuts that drivers are doing to avoid the signals on Louise/Main. Then comes the problem we already have with Springtime Ave turning left onto Louise, take a drive starting around 4pm, you can't make the left hand turn with all the traffic on Louise Ave, putting an extention down in this area is going to create a back-up into Springtime Ave./Askland Estates."

This comment is noted. As discussed in Response B-1 above, the trips eastbound on Aksland Drive towards Springtime Avenue and Louise Avenue will be 0% of the project trips. A small percentage of the existing residences located in the neighborhood bounded by Louise Avenue to the south, Ward Avenue / April Avenue to the East and Springtime Avenue would use Aksland Drive to and from the Main Street / Northgate Drive / Aksland Drive intersection as an alternative to their existing path. This would be approximately 10 vehicle trips during

morning and evening peak hours. There will be no cut through traffic from Louise Avenue or Main Street that would use Aksland Drive to and from the Main Street / Northgate Drive / Aksland Drive intersection. This would be a longer and more cumbersome travel path.

Response B-3:

The commenters state that "Maybe with a proposal this new development North Main Commons could be a gated community it will elevate the traffic issue, only the residents of NMC would have access to these streets."

This comment is noted. There will be the opportunity for any members of the public to express any of their views during the upcoming Planning Commission and City Council meetings. This is an open and public process whereby citizens are free to provide their verbal input in the public meeting. All input provided will be considered by the Planning Commission and the City Council.

Date: May 21, 2018

Paszkowski, Adam

From: TERESA MANNEN <tezbro@comcast.net>
Sent: Thursday, March 15, 2018 3:52 PM

To: Paszkowski, Adam

Subject: North Main Commons - Aksland Drive Extension

Adam,

I understand you are with the City Planners office of Manteca. I am directing this email to you to express my concerns regarding the North Main Commons proposed sub-division located at North Main and Northgate Drive, Manteca. I am a resident living in Aksland Estates and my property location is on Andrew Lane. My home backs up to and borders the proposed project by DR Horton. My first concern would be the construction of two-story homes bordering Aksland Estates which includes only single story homes (as you know). I would request consideration by the City of Manteca and DR Horton not to permit any two-story homes to be built along this border. I am not opposed to the construction project itself, which is preferable versus a 100% commercial project, or the construction of two story homes, I would just ask the appropriate parties to consider and respect the concerns and sentiments of the long time residents of both Aklsand Estates and Springtime Estates and only permit single story homes to be built along this border.

My second concern is regarding the extension of Aksland Drive to Northgate and Main Street. I am very concerned about the increased traffic and potential hazards to the residents in Aksland Estates and surrounding area with the opening of this street. I would ask the City to consider not allowing this extension for the safety of existing residents in this area.

Again, I would like to express the fact I am not opposed to this project as progress and growth are inevitable, but would ask that serious considerations are given to the long time residents already here.

C-3

C-1

Thank you,

Teresa (Tess) Mannen

1303 Andrew Lane

Manteca, CA 95336

Response to Letter C: Teresa Mannen

Response C-1:

The commenter has concerns regarding the project. The commenter is a resident of Aksland Estates, and her property is located on Andrew Lane. She states that her home backs up to and borders the proposed project by DR Horton. She states that her first concern is the construction of two-story homes bordering Aksland Estates, which only includes single-story homes. She requests that the City and DR Horton not permit any two-story homes to be built along this border. She also states that she is not opposed to the construction project itself, which is preferable to a 100% commercial project, or the construction of two-story homes. She states that, rather, she would like the appropriate parties to respect the concerns and sentiments of long-time reisdents of Aksland Estates and Springtime Estates, and only permit single-story homes along this border.

This comment is noted. This City has zoning and building standards for building height, setbacks, and fencing height within a residential zone. The City will ensure that requirements are adhered to in the building plans. The zoning code allows a maximum building height of 30 feet in the R1 zone, which would allow a two-story residence. The building would be required to be setback 15 feet from the rear property line in accordance with the setback requirements in the zoning ordinance. Additionally, the zoning ordinance calls for a maximum fence height of six feet. The City will impose these standards on the residences just as they would for any residence in the R1 zone in other parts of the City. It is noted that the property owner could volunteer to restrict the 18 lots along the eastern side of the project to one-story residences, however, the City cannot impose standards that are stricter then the zoning ordinance allows.

Response C-2:

The commenter notes that the extension of Aksland Drive to Northgate and Main Street could cause increased traffic and potential hazards to the residents in Aksland Estates and the surrounding area with the opening of this City. The commenter requests that the City not allow this extension, for the safety of existing residents.

It is noted that the City has always planned to connect Askland Drive to Northgate. This has been a planned extension in the General Plan Circulation Element, and is why the existing design of Askland Drive is not a cul-de-sac, rather it is a terminus with barriers. Regardless of this planned roadway extension, the City has engaged a traffic engineer to analyze Askland Drive for a thru-way and non thru-way road. The following presents the analysis by Fehr and Peers.

A detailed AM peak hour, PM peak hour, and Daily trip generation and trip distribution analysis was completed for the following two roadway alternatives:

 Extension of Aksland Drive from its current terminus at Andrew Lane to the future four legged signalized intersection at Main Street / Northgate Drive; and

Date: May 21, 2018

2. Emergency Vehicle Access (EVA) gated access only between Aksland Drive and the future four legged signalized intersection at Main Street / Northgate Drive.

Trip Generation Analysis: The trip generation of the proposed project was estimated for Daily, AM peak hour, and PM peak hour conditions using trip rates published in the Trip Generation 9th Edition (ITE, 2012). Table 1 summarizes the estimated trip generation of the project. Based on the project's land use plan, the proposed project would generate the following:

- During the morning peak hour (7:00 to 8:00 AM) A total of 117 vehicle trips, with 29 inbound and 88 outbound;
- During the evening peak hour (5:00 to 6:00 PM) A total of 157 vehicle trips, with 99 inbound and 58 outbound; and
- On a Daily Basis (24 hours) A total of 1,492 vehicle trips, with 746 inbound and 746 outbound.

			ı	PROJE	T CT TRI	ABLE P GEN		ION						
Land Use	Quantity [1,000	ITE Land Use	Pea	k Hour Rate ¹	Trip					Tri				
	sf]	Code	AM	PM	Daily	AN In	/I Peak Out	Hour Total	In	M Peak Out	Hour Total	In	Daily Out	Total
Single Family Detached Housing	158	210	0.74	0.99	9.44	29	88	117	99	58	157	746	746	1,492

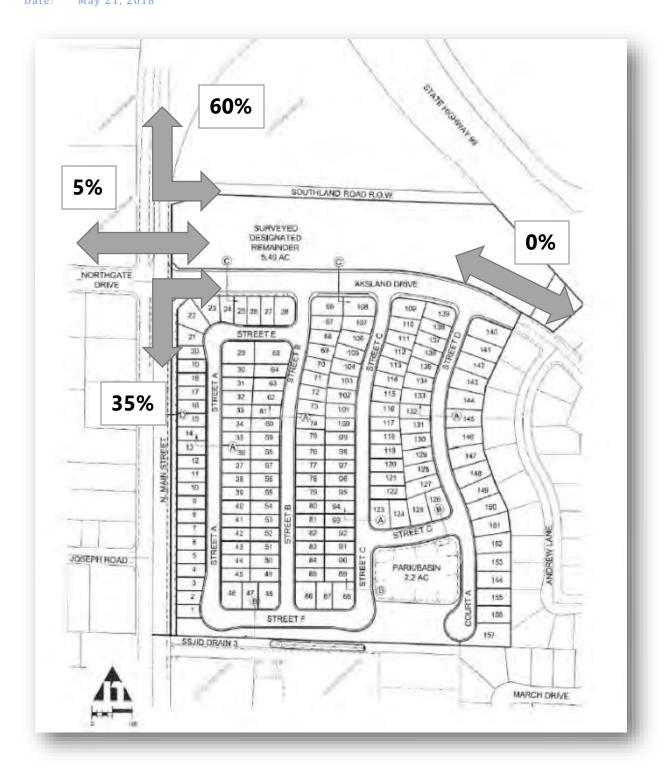
Notes:

3. Trip rates from Trip Generation (ITE, 10th Edition - 2017)

Source: Fehr & Peers, 2018

Project Distribution and Assignment: The City of Manteca Travel Demand Forecasting Model was used to determine how project-generated traffic would enter and exit the North Main Commons Subdivision based on the following two roadway alternatives:

- 1. Alternative A Extension of Aksland Drive from its current terminus at Andrew Lane to the four legged signalized intersection at Main Street / Northgate Drive; and
- 2. Alternative B Emergency Vehicle Access (EVA) gated access only between Aksland Drive and the four legged signalized intersection at Main Street / Northgate Drive.



North Main Commons Project Trip Distribution

Results of Alternative A: The analysis shows that during all three time periods, a combination of the following parameters result in all project-generated traffic using the Main Street / Northgate Drive / Aksland Drive intersection:

- Proximity of the project site to Main Street;
- Signalized full access intersection
- Distribution of traffic to the following directions:
 - 60% NB Main Street towards Lathrop Road and the SR 99 / Lathrop Road Interchange
 - 35% SB Main Street towards downtown Manteca and the SR 120
 / Main Street interchange
 - o 5 % WB Northgate Drive towards Union Road and Airport Way
 - 0% EB Aksland Drive towards Springtime Avenue and Louise Avenue

It should be noted that the extension of Aksland Drive from its current terminus at Andrew Lane to the Main Street / Northgate Drive / Aksland Drive intersection would also result in the following traffic circulation changes:

- A small percentage of the existing residences located in the neighborhood bounded by Louise Avenue to the south, Ward Avenue / April Avenue to the East and Springtime Avenue would use Aksland Drive to and from the Main Street / Northgate Drive / Aksland Drive intersection. This would be approximately 10 vehicle trips during morning and evening peak hours; and
- No cut through traffic from Louise Avenue or Main Street would use Aksland Drive to and from the Main Street / Northgate Drive / Aksland Drive intersection.

Results of Alternative B: If an Emergency Vehicle Access (EVA) gate access is only provided between Aksland Drive and the four legged signalized intersection at Main Street / Northgate Drive, response times would be increased as fire personnel would be required to stop, exit their emergency vehicle, and unlock the gate. Under ideal conditions, this can add an additional 60 to 90 seconds to the total emergency response time. During evening or weather conditions, this has the potential to add an additional 60 to 180 seconds to the total emergency response time.

And because no (0%) of North Main Commons traffic is projected to use Aksland Drive east of the project site, the EVA gate access alternative would negatively impact emergency response times to and from the existing neighborhood and Springtime Park. Therefore, Alternative B (EVA gate access only) is not recommended based on traffic circulation and potential adverse impacts to emergency response times.

Response C-3: The commenter provides a concluding statement, expressing that she is not opposed to the project, but asks that serious considerations are given to the long-time residents of the surrounding area.

This comment is noted. There will be the opportunity for any members of the public to express any of their views during the upcoming Planning Commission and City Council meetings. This is an open and public process whereby citizens are free to provide their verbal input in the public meeting. All input provided will be considered by the Planning Commission and the City Council.

Date: May 21, 2018

Paszkowski, Adam

From: Hightower, Jeffrey

Sent: Wednesday, March 21, 2018 5:11 PM

To: Paszkowski, Adam

Subject: FW: North Main Commons Subdivision

Attachments: North Main Commons TM Revisions 032118.pdf

J.D. Hightower

Planning Manager

Mohala i ka wai ka maka o ka pua

Unfolded by the water are the faces of the flowers (209)456-8505



From: Benjamin Cantu [mailto:bcantu1951@gmail.com]

Sent: Wednesday, March 21, 2018 4:45 PM

To: Hightower, Jeffrey; apaszowski@ci.manteca.ca.us

Subject: North Main Commons Subdivision

JD and Adam,

I have been contacted by residents of the Springtime Estates development that is located adjacent to the proposed North Main Commons proposal. They are very concerned with the additional traffic that the project will create through their development, and how the City will be managing the problem.

D-1

I have reviewed the MND, it simply focuses its study and mitigation to Main Street and Northgate; it does not review any aspect or potential adverse impacts to the adjacent Springtime development. Nor does it review any potential adverse impacts to traffic and circulation potentially affected in the general area; such as potential cumulative impact to the Louise Avenue/Highway 99 overcrossing, particularly with the new subdivision underway on the east side of Highway 99 at Louise Avenue. Or, the potential cumulative impact to the restricted right-of-way width (lanes) on East Louise Avenue at Frank Avenue, also particularly with the new subdivision underway on the east side of Highway 99 at Louise Avenue. Nor does the MND review any potential adverse impacts to traffic and circulation potentially affected west of Main Street along Northgate Drive.

D-2

I hereby formally submit the following items that need to be addressed:

D-3

1. The MND needs to review any potential traffic and circulation impacts to the adjacent Springtime Estates development and appropriate mitigation measures determined and implemented.

1

Date: May 21, 2018

2. The MND needs to review any potential contribution (cumulative impact) to the ultimate capacity of the Louise Avenue overcrossing of Highway 99 in light of new residential development taking place on the east side of the highway and appropriate mitigation measures determined and implemented.

3. The MND needs to review any potential contribution (cumulative impact) to the ultimate capacity of the restricted roadway along Louise Avenue at Frank Avenue and appropriate mitigation measures determined and implemented.

4. The MND needs to review the potential need for a secondary unrestricted access point from Main Street. Three access points within 200 feet of each other at the north end of the development is a potentially hazardous condition.

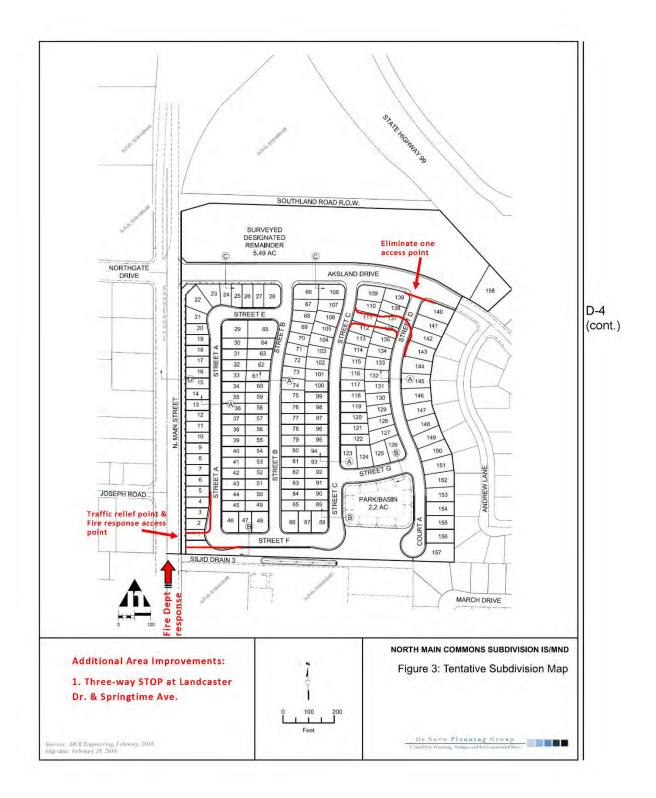
D-3 (cont.)

I have attached a copy of the map with suggested revisions.

D-4

Benjamin Cantu





Response to Letter D: BC Planning Land Use Planning & Design

Response D-1:

The commenter provides an introductory statement describing that he has been contacted by residents of the Springtime Estates development that is located adjacent to the proposed North Main Commons proposed project, and that they are concerned with the additional traffic that the project will create through its development, and how the City will be managing the problem.

This comment serves as an opening statement, and lead-in remarks to support requests/recommendations for additional traffic analysis. The City has engaged a traffic engineer to analyze traffic impacts. The details of the analysis are provided in response to later comments provided by the commenter (Response D-3).

Response D-2:

The commenter states that "I have reviewed the MND, it simply focuses its study and mitigation to Main Street and Northgate; it does not review any aspect or potential adverse impacts to the adjacent Springtime development. Nor does it review any potential adverse impacts to traffic and circulation potentially affected in the general area; such as potential cumulative impact to the Louise Avenue/Highway 99 overcrossing, particularly with the new subdivision underway on the east side of Highway 99 at Louise Avenue. Or, the potential cumulative impact to the restricted right-of-way width (lanes) on East Louise Avenue at Frank Avenue, also particularly with the new subdivision underway on the east side of Highway 99 at Louise Avenue. Nor does the MND review any potential adverse impacts to traffic and circulation potentially affected west of Main Street along Northgate Drive."

This comment serves as additional lead-in remarks to support requests/recommendations for additional traffic analysis. The City has engaged a traffic engineer to analyze traffic impacts. The details of the analysis are provided in response to later comments provided by the commenter (Response D-3).

Response D-3:

The commenter states that "I hereby formally submit the following items that need to be addressed:

- 1. The MND needs to review any potential traffic and circulation impacts to the adjacent Springtime Estates development and appropriate mitigation measures determined and implemented.
- 2. The MND needs to review any potential contribution (cumulative impact) to the ultimate capacity of the Louise Avenue overcrossing of Highway 99 in light of new residential development taking place on the east side of the highway and appropriate mitigation measures determined and implemented.
- 3. The MND needs to review any potential contribution (cumulative impact) to the ultimate capacity of the restricted roadway along Louise Avenue at Frank Avenue and appropriate mitigation measures determined and implemented.

Date: May 21, 2018

4. The MND needs to review the potential need for a secondary unrestricted access point from Main Street. Three access points within 200 feet of each other at the north end of the development is a potentially hazardous condition."

It is noted that the City has always planned to connect Askland Drive to Northgate. This has been a planned extension in the General Plan Circulation Element, and is why the existing design of Askland Drive is not a cul-de-sac, rather it is a terminus with barriers. Regardless of this planned roadway extension, the City has engaged a traffic engineer to analyze Askland Drive for a thru-way and non thru-way road. The following presents the analysis by Fehr and Peers.

A detailed AM peak hour, PM peak hour, and Daily trip generation and trip distribution analysis was completed for the following two roadway alternatives:

- Extension of Aksland Drive from its current terminus at Andrew Lane to the future four legged signalized intersection at Main Street / Northgate Drive; and
- 2. Emergency Vehicle Access (EVA) gated access only between Aksland Drive and the future four legged signalized intersection at Main Street / Northgate Drive.

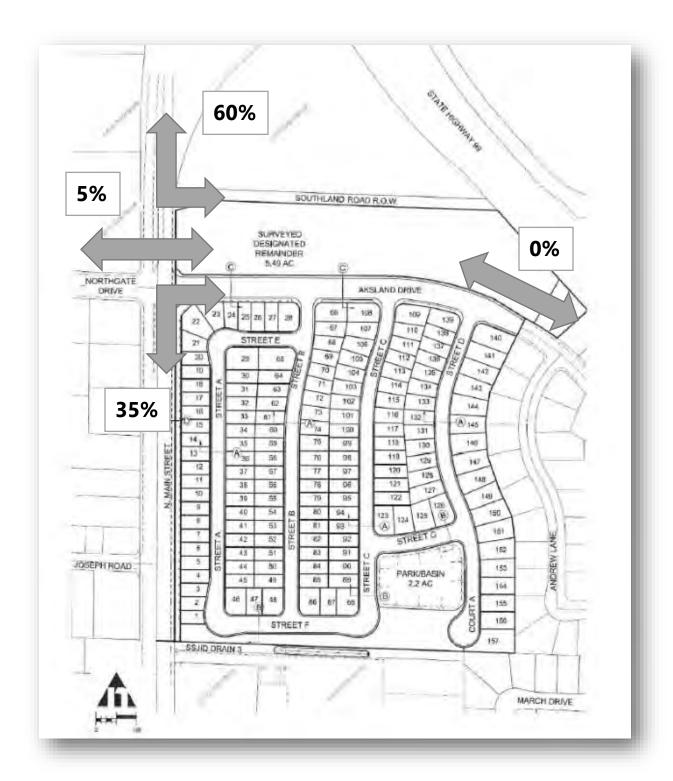
Trip Generation Analysis: The trip generation of the proposed project was estimated for Daily, AM peak hour, and PM peak hour conditions using trip rates published in the Trip Generation 9th Edition (ITE, 2012). Table 1 summarizes the estimated trip generation of the project. Based on the project's land use plan, the proposed project would generate the following:

- During the morning peak hour (7:00 to 8:00 AM) A total of 117 vehicle trips, with 29 inbound and 88 outbound;
- During the evening peak hour (5:00 to 6:00 PM) A total of 157 vehicle trips, with 99 inbound and 58 outbound; and
- On a Daily Basis (24 hours) A total of 1,492 vehicle trips, with 746 inbound and 746 outbound.

		ТАВ	LE 1 P	ROJEC	T TRIP	GENI	RATI	ON						
	Quantity	ITE	Pea	k Hour Rate ¹	•					Tri	ps			
Land Use	[1,000 sf]	Land Use				AN	/I Peak	Hour	P	M Peak	Hour		Daily	
		Code	AM	PM	Daily	In	Out	Total	ln	Out	Total	ln	Out	Total
Single Family Detached Housing	158	210	0.74	0.99	9.44	29	88	117	99	58	157	746	746	1,492

Notes:

4 . Trip rates from Trip Generation (ITE, 10th Edition - 2017) Source: Fehr & Peers, 2018



North Main Commons Project Trip Distribution

Project Distribution and Assignment: The City of Manteca Travel Demand Forecasting Model was used to determine how project-generated traffic would enter and exit the North Main Commons Subdivision based on the following two roadway alternatives:

- Alternative A Extension of Aksland Drive from its current terminus at Andrew Lane to the four legged signalized intersection at Main Street / Northgate Drive; and
- 2. Alternative B Emergency Vehicle Access (EVA) gated access only between Aksland Drive and the four legged signalized intersection at Main Street / Northgate Drive.

Results of Alternative A: The analysis shows that during all three time periods, a combination of the following parameters result in all project-generated traffic using the Main Street / Northgate Drive / Aksland Drive intersection:

- Proximity of the project site to Main Street;
- Signalized full access intersection
- Distribution of traffic to the following directions:
 - 60% NB Main Street towards Lathrop Road and the SR 99 / Lathrop Road Interchange
 - 35% SB Main Street towards downtown Manteca and the SR 120
 / Main Street interchange
 - o 5 % WB Northgate Drive towards Union Road and Airport Way
 - o 0% EB Aksland Drive towards Springtime Avenue and Louise Avenue

It should be noted that the extension of Aksland Drive from its current terminus at Andrew Lane to the Main Street / Northgate Drive / Aksland Drive intersection would also result in the following traffic circulation changes:

- A small percentage of the existing residences located in the neighborhood bounded by Louise Avenue to the south, Ward Avenue / April Avenue to the East and Springtime Avenue would use Aksland Drive to and from the Main Street / Northgate Drive / Aksland Drive intersection. This would be approximately 10 vehicle trips during morning and evening peak hours; and
- No cut through traffic from Louise Avenue or Main Street would use Aksland Drive to and from the Main Street / Northgate Drive / Aksland Drive intersection.

Results of Alternative B: If an Emergency Vehicle Access (EVA) gate access is only provided between Aksland Drive and the four legged signalized intersection at Main Street / Northgate Drive, response times would be increased as fire personnel would be required to stop, exit their emergency vehicle, and unlock the gate. Under ideal conditions, this can add an additional 60 to 90 seconds to the

total emergency response time. During evening or weather conditions, this has the potential to add an additional 60 to 180 seconds to the total emergency response time.

And because no (0%) of North Main Commons traffic is projected to use Aksland Drive east of the project site, the EVA gate access alternative would negatively impact emergency response times to and from the existing neighborhood and Springtime Park. Therefore, Alternative B (EVA gate access only) is not recommended based on traffic circulation and potential adverse impacts to emergency response times.

Other: It is also noted that Fehr & Peers recently analyzed the segment of North Main Street located north of Northgate Drive (adjacent to the project site) as part of the General Plan Update (City of Manteca, 2017). This road segment currently maintains a LOS C and has approximately 11,200 average daily trips. The additional trips generated by the proposed project is anticipated to increase the average daily trips on this roadway to 12,685. The additional traffic is below the 17,100 daily trip capacity for this roadway design (4 lanes with 40+ speed limit).

Since the proposed project would not generate a substantial increase in traffic or exceed the applicable LOS standards of the nearby roadway segment, and since the proposed project would be required to contribute any applicable fees to cover the proportionate cost of traffic improvements in order to satisfy their fair share obligations, the proposed project have a less than significant project-level and cumulative impact.

Response D-4:

The commenter provides a copy of the site plan map with his suggested revisions. It includes suggestions for a 1) three-way stop at Lancaster Drive and Springtime Avenue, 2) a traffic relief point & fire response access point on North Main Street, and 3) the elimination of one access point along Aksland Drive, and the 4) addition of a new roadway connection between Street C and Street D of the project's internal circulation network.

These recommendations are noted. The original site plan included an additional access to traffic relief point for fire response access on North Main Street, however, in the preliminary review the Fire Department determined that it was not needed nor was it recommended by the Fire Department. As such, the proposed project site plan does not include this access point. City staff has reviewed the commenter's additional recommendations for the site design and does not recommend these changes. The commenter, and all other members of the public, will have the opportunity to provide feedback at both the Planning Commission Meeting and City Council Meeting for approval of the proposed project.

Date: May 21, 2018

Paszkowski, Adam

From: Benjamin Cantu
bcantu1951@gmail.com>
Sent: Thursday, March 22, 2018 8:32 AM

To: Paszkowski, Adam; Showerman, Greg; Blackmon, Lisa

Subject: Re: Email Address Not Working

Thank you Adam for the correction.

One other item. As per the MND NOI, I entered the website address provided for online review of the IS/MND. The address does not provide a direct path to the IS/MND for review as indicated. In fact, I reviewed the entire website and did not find the documents at all. Given we are in a tech world where the citizenry is "connected" and relies on the web a great deal more, especially when specifically directed to do so in the notice, proper public notice in this case is questionable.

E-1

E-2

In light of concerns expressed by residents from the adjacent Springtime development, I would suggest that the NOI be republished (after the website connection is corrected.)

Ben Cantu

On Wed, Mar 21, 2018 at 5:02 PM, Paszkowski, Adam apaszkowski@ci.manteca.ca.us wrote:

Hi Ben,

I wanted to let you know that your e-mail was forwarded to me. My last name was misspelled in your e-mail to me.

Please use this e-mail address for me.

Thank you,

Adam Paszkowski

Associate Planner

City of Manteca, Community Development Department

1001 W. Center St.

Manteca, CA 95337

(209) 456-8523

1

Response to Letter E: BC Planning Land Use Planning & Design

Response E-1:

This commenter states "Thank you Adam for the correction. One other item. As per the MND NOI, I entered the website address provided for online review of the IS/MND. The address does not provide a direct path to the IS/MND for review as indicated. In fact, I reviewed the entire website and did not find the documents at all. Given we are in a tech world where the citizenry is "connected" and relies on the web a great deal more, especially when specifically directed to do so in the notice, proper public notice in this case is questionable."

This comment is noted. The link provided in the MND NOI provides a direct link to the City of Manteca Planning Department website. At this website location the City maintains all environmental planning documents. It is in this location that the that the North Main Commons IS/MND was posted for public review. In addition to the document being available electronically via the City website, hard copies are available for review at the City Hall. The City has complied with all state noticing requirements. No further response is necessary.

Response E-2:

The commenter states that "In light of concerns expressed by residents from the adjacent Springtime development, I would suggest that the NOI be republished (after the website connection is corrected)." The commenter notes that the NOI be republished.

This comment is noted; however, the City has complied with all state noticing requirements and the warrants for recirculation have not been met. The link provided in the MND NOI provides a direct link to the City of Manteca Planning Department website, which is the location that the City maintains all environmental planning documents. It is in this location that the that the North Main Commons IS/MND was posted for public review. In addition to the document being available electronically via the City website, hard copies are available for review at the City Hall. The City has complied with all state noticing requirements.



Erika E. Durrer, Facilities Planning Supervisor

edurrer@musd.net | (209)858-0865

March 22, 2018

VIA E-MAIL (APASZKOWSKI@CI.MANTECA.CA.US) & U.S. MAIL

Adam Paszkowski
Associate Planner
City of Manteca
Community Development Department
Planning Division
1001 West Center Street
Manteca, CA 95337

Re: Proposed North Main Commons Subdivision Project

Dear Mr. Paszkowski:

The Manteca Unified School District ("District") hereby submits the following comments on the City of Manteca's ("City") North Main Commons Subdivision ("Project"). The public has entrusted the District with providing its students with a high-quality education, which includes insuring that its students have adequate facilities, are safe, and not significantly or cumulatively impacted by development. The District instructs the City's children at 28 public schools. Two schools will serve this Project: New Haven Elementary School and East Union High School. The Project's addition of students to these schools raises concerns that operation of the Project will adversely affect the traffic and parking at these schools, which was not addressed in the environmental document. These impacts need to be adequately evaluated and mitigated prior to forwarding this project to the Planning Commission for consideration.

F-2

F-1

The District wishes to emphasize that its comments are meant to help the City fully evaluate and mitigate the potential impacts to the schools—not to be critical or confrontational. Instead, the District wishes to continue cooperating and collaborating with the City to insure the continued high quality of life in the City and education in its schools. The District would like to emphasize the importance of collaboration between the District and City through the entire entitlement process, in order for growth to be orderly and well planned, all affected agencies need to be given the opportunity to participate in this process.

P.O. Box 32 Manteca, CA 95336 2271 West Louise Avenue, Manteca, CA 95337 Phone (209) 858-0700 Fax (209) 858-7570 www.mantecausd.net

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1. LAND USE, AND PLANNING

As discussed in the Adequate School Facilities section below, the Project is inconsistent with the General Plan 2023. The Project needs to contribute its fair share of funding for the adequate school facilities as required by the General Plan 2035 and its Mitigation Monitoring and Reporting Program. An additional mitigation measure for the Project's developer to enter into a Mello-Roos District or a mitigation agreement with the District is required to be consistent with the General Plan 2023 and its EIR.

F-3

2. PUBLIC SERVICES - ADEQUATE SCHOOL FACILITIES.

The Mitigated Negative Declaration (MND) notes that the Project would include the development of 158 dwelling units, which will accommodate single-family homes. These dwelling units will generate 77 K-8 students and 37 9-12 students, for a total of 114 new students. The District's School Mitigation Fee Justification Study, dated March 2017, determined that upon development project build out, there will be a shortage of classroom facilities for 7,258 students. (Fee Study, Table 7, p. 13.) As new development identified in the Fee Study (*Id.* Appendix B, Table B-1), the Project contributes to the school facilities' shortfall. The cost of providing school facilities is \$8.18 per square foot of single-family and multifamily residential units. (*Id.* Table 14, p. 19.) However, the District levies Level 1 Developer Fees in the amount of \$3.48 per square foot—which only accounts for 42% of the costs for adequate school facilities, respectively.

F-4

The Mitigated Negative Declaration claims that payment of developer fees and ongoing revenues from property taxes, sales taxes, and other revenues generated by the Project would fund improvements associated with school services and that the impact is less than significant. (MND, p. 55) That is not the case. Aside from developer fees, the other "ongoing revenues" do not pay for new school facilities, but instead pay for operations. Developer fees alone are not adequate mitigation. The MND claims that the Project is consistent with the City's General Plan and attendant EIR, but in actuality, it is not. The City's General Plan EIR acknowledged that implementation of the General Plan 2023 would require additional school facilities and that the impact was potentially significant and identified three important mitigation measures. (Draft General Plan EIR, pp. 1-57, 1-58, and 14-19.) Goal PF-13 states, "Provide for the educational needs of Manteca residents." (*Id.* pp. 1-58 and 14-21.) PF-P-33 states in part, "Adequate facilities shall be planned to accommodate new residential development." (*Ibid.*) PF-P-35 states, "*Financing* of new school facilities will be planned concurrent with new development." (*Ibid.*, emph. added. Note that PF-P-35 is labeled PF-P-34 on p. 14-21.)

These General Plan 2023 mitigation measures require funding beyond collected developer fees to ensure adequate school facilities. potentially significant impact, as acknowledged in the General Plan 2023 EIR. In such a circumstance, the MND cannot legally claim that the Project's impact to school facilities would be less than significant by simply relying on collected Level 1 Developer Fees, property taxes, sales taxes and other revenue generated by the Project. To honor and comply with the General Plan 2023, its EIR, and the City's

Date: May 21, 2018

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adopted Mitigation Monitoring and Report Program, the City must require the Project's developer to provide its fair-share funding for adequate school facilities for the new students. This can be accomplished by the Project's developer's entry into a Mello-Roos District or a mitigation agreement with the District.

F-4 (cont.)

CONCLUSION.

The District desires that the Project's potential significant and cumulative impacts to the students, parents, faculty, and staff of the District's schools are fully analyzed and mitigated. Accordingly, the District respectfully requests that the Draft EIR be revised to include those analyses and mitigation measures as set forth herein and recirculated.

F-5

Thank you for the opportunity to participate in the review process and for your consideration of the above.

Sincerely,

Erika E. Durrer

Facilities Planning Supervisor

Response to Letter F: Manteca Unified School District

Response F-1:

This comment serves as an introduction to the letter and specifically states that "the public has entrusted the District with providing its students with high-quality education, which includes insuring that its students have adequate facilities, are safe, and not significantly or cumulatively impacted by development". This comment also lists the two schools that would serve the proposed project (New Haven Elementary School and East Union High School). The comment further states that "the Project's addition of students to these schools raises concerns that operation of the Project will adversely affect the traffic and parking at these schools, which was not addressed in the environmental document. These impacts need to be adequately evaluated and mitigation prior to forwarding the project to the Planning Commission for consideration".

This comment itself is an introduction to the letter. It provides a broad statement that there is a need for further analysis and/or mitigation for certain environmental topics, this comment itself does not provide any specific evidence or suggestions. The IS/MND specifically does provide an analysis and discussion that is dedicated to addressing the environmental topics that are identified by the commenter. When there is a potential impact identified in the IS/MND analysis for each of these topics, the IS/MND also includes a mitigation measure(s) that is intended to reduce the impact to the extent practicable. The IS/MND appropriately includes an analysis and mitigation measures for each of these topics. Given the general and broad statements provided in this introduction, and absent any level of specificity in this introductory comment, this response does not require any additional analysis, mitigation measures, revisions, or recirculation.

Response F-2:

This comment is an additional introductory statement that states that the MUSD wishes to emphasize that its comments are meant to help the City fully evaluate and mitigation the potential impacts to schools – not to be critical or confrontational. This comment reiterates that the MUSD would like to emphasize the importance of collaboration between the MUSD and the City throughout the entire entitlement process, "…in order for growth to be orderly and well planned…", and that "…all affected agencies need to be given the opportunity to participate in this process".

Given the general and broad statements provided in this introduction, and absent any level of specificity in this introductory comment, this response does not require any additional analysis, mitigation measures, revisions, or recirculation.

Response F-3:

The commentor states that "As discussed in the Adequate School Facilities section below, the Project is inconsistent with the General Plan 2023. The project needs to contribute its fair share of funding for adequate school facilities as required by the General Plan 2035 and its Mitigation Monitoring and Reporting Program. An

additional mitigation measure for the Project's developer to enter into a Mello-Roos District or a mitigation agreement with the District is required to be considered with the General Plan 2023 and its EIR".

It is the City's policy to require all development projects to adhere to the State's laws regarding the payment of school impact fees that are established by the MUSD through their nexus study/fee justification efforts. The City will fully cooperate with the MUSD, as they have in the past, in the collection of the school impact fees that have been established by MUSD. This is consistent with the General Plan. However, the commentor has suggested a mitigation measure that is not consistent with the State Law or with their own School Justification Fee Justification Study (March 2017). It is not clear how the commentor has any legal basis for which to suggest that a "Mello-Roos District or mitigation agreement" is required as mitigation, nor does the commentor clearly identify what such a mitigation measure would be mitigating (i.e. the warrant for mitigation), or how the District would utilize funding to mitigate an impact. The commentor alludes to a "fair share of funding for adequate facilities", however, the Education Code (EC) 17620 grants the District the authority to impose school impact fees, and the MUSD had established impact fees as of March 2017. In Chawanakee Unified School Dist. v. County of Madera (June 21, 2011) 196 Cal. App. 4th 1016, the court determined that Government Code section 65996(a) obviated the need to analyze and mitigate a development's direct impacts on existing school facilities in an EIR because Education Code sets forth "exclusive methods" for consideration and mitigation of such impacts. The MUSD's School Justification Fee Justification Study (March 2017) established the appropriate fee for all development in the City of Manteca. This fee established by the District is the fair share funding that the City will require of this development. By statute, the City and District cannot require fees beyond that allowed by the state law, and affirmed by the District through the recently approved nexus study. A suggestion to mandate fees beyond the maximum allowed by law within the CEQA document would require the City to violate state law. The City will continue to operate within the state law, and does not intend to mandate additional fees as mitigation.

Response F-4: The commentor states the following:

"The Mitigated Negative Declaration (MND) notes that the Project would include the development of 158 dwelling units, which will accommodate single-family homes. These dwelling units will generate 77 K-8 students and 37 9-12 students, for a total of 114 new students. The District's School Mitigation Fee Justification Study, dated March 2017, determined that upon development project build out, there will be a shortage of classroom facilities for 7,258 students (Fee Study, Table 7, p. 13). As new development identified in the Fee Study (Id. Appendix B, Table B-1), the Project contributes to the school facilities' shortfall. The cost of providing school facilities is \$8.18 per square foot of single-family and multifamily residential units (Id. Table 14, pg. 19). However, the District levies Level 1 Developer Fees in the amount of \$3.48 per square foot – which only accounts for 42% of the costs for adequate school facilities, respectively.

The Mitigated Negative Declaration claims that payment of developer fees and ongoing revenues from property taxes, sales taxes, and other revenues generated by the Project would fund improvements associated with school services and the impact less than significant (MND, p. 55). That is not that case. Aside from developer fees, the other "ongoing revenues" do not pay for new school facilities, but instead pay for operations. Developer fees alone are not adequate mitigation. The MND claims that the Project is consistent with the City's General Plan and attendant EIR, but in actuality, its not. The City's General Plan EIR acknowledged that implementation of the General Plan 2023 would require additional school facilities and the impact was potentially significant and identified three important mitigation measures. (Draft General Plan EIR, pp. 1-57, 1-58, and 14-19). Goal PF-13 states, "Provide for the educational needs of Manteca residents." (Id. Pp. 1-58 and 14-21.) PF-P-33 states in part, "Adequate facilities shall be planned to accommodate new residential development." (Ibid.) PF-P-35 states, "Financing of new school facilities will be planned concurrent with new development." (Ibid., emph. Added. Note that PF-P-35 is labeled PF-P-34 on p. 14-21.).

These General Plan 2023 mitigation measures require funding beyond collected developer fees to ensure adequate school facilities, potentially significant impact, as acknowledged in the General Plan 2023 EIR. In such a circumstance, the MND cannot legally claim that the Project's impact to school facilities would be less than significant by simply relying on collected Level 1 Developer Fees, property taxes, sales taxes, and other revenue generated by the Project. To honor and comply with the General Plan 2023, its EIR, and the City's adopted Mitigation Monitoring and Report Program, the City must require the Project's developer to provide its fair-share funding for adequate school facilities for the new students. This can be accomplished by the Project's developer's entry into a Mello-Roos District or a mitigation agreement with the District".

Impacts associated with schools are analyzed in impact a, iii) on page 55. It is the City's policy to require all development projects to adhere to the State's laws regarding the payment of school impact fees that are established by the MUSD through their nexus study/fee justification efforts. The City will fully cooperate with the MUSD, as they have in the past, in the collection of the school impact fees that have been established by MUSD. This is consistent with the General Plan. However, the commentor has suggested a mitigation measure that is not consistent with the State Law or with their own School Justification Fee Justification Study (March 2017). It is not clear how the commentor has any legal basis for which to suggest that a "Mello-Roos District or mitigation agreement" is required as mitigation, nor does the commentor clearly identify what such a mitigation measure would be mitigating (i.e. the warrant for mitigation), or how the District would utilize funding to mitigate an impact. The commentor alludes to a "fair share of funding for adequate facilities", however, the Education Code (EC) 17620 grants the District the authority to impose school impact fees, and the MUSD had established impact fees as of March 2017. In Chawanakee Unified School Dist. v. County of Madera (June 21, 2011) 196 Cal. App. 4th 1016, the court determined that Government Code section 65996(a) obviated the need to analyze and mitigate a development's direct impacts on existing school facilities in an EIR because Education Code sets forth "exclusive methods" for consideration and

mitigation of such impacts. The MUSD's School Justification Fee Justification Study (March 2017) established the appropriate fee for all development in the City of Manteca. This fee established by the District is the fair share funding that the City will require of this development. By statute, the City and District cannot require fees beyond that allowed by the state law, and affirmed by the District through the recently approved nexus study. A suggestion to mandate fees beyond the maximum allowed by law within the Draft EIR would require the City to violate state law. The City will continue to operate within the state law, and does not intend to mandate additional fees as mitigation.

Response F-5:

The commentor provides a concluding statement, reiterating what was provided by the introductory remarks (see Response F1 and Response F2). The commentor thanks the City for the opportunity to participate in the review process and for the City's consideration of their previous comments.

This comment itself it a general conclusion statement. Given the general and broad statements provided in this conclusion, and absent any level of specificity in this comment, this response does not require any additional analysis, mitigation measures, revisions, or recirculation. In addition, considering all other comments provided by commentor and the responses and clarifications provided herein, there is no warrant for any additional analysis, mitigation measures, revisions, or recirculation.



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MAR 29 2018



COMMUNITY DEVELOPMENT

Central Valley Regional Water Quality Control Board

26 March 2018

Adam Paszkowski City of Manteca 1001 West Center Street Manteca, CA 95337

CERTIFIED MAIL 91 7199 9991 7035 8419 1576

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, NORTH MAIN COMMONS SUBDIVISION PROJECT, SCH# 2018032003, SAN JOAQUIN COUNTY

Pursuant to the State Clearinghouse's 2 March 2018 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the North Main Commons Subdivision Project, located in San Joaquin County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases,

KARL E. LONGLEY SCD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCEE, EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley

O REGYCLED PAPER

G-1

Date: May 21, 2018

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26 March 2018

the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the Water Quality Control Plan for the Sacramento and San Joaquin River Basins, please visit our website: http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/.

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at: http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

G-1 (cont.)

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan

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(SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.sht ml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

G-1 (cont.)

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drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit - Water Quality Certification

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Waste Discharge Requirements - Discharges to Waters of the State

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

G-1 (cont.)

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver)

R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

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http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

- 1. Obtain Coverage Under a Coalition Group. Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/for_growers/apply_coalition_group/index.shtml or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
- 2. Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100. Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for Dewatering and Other Low Threat Discharges to Surface Waters (Low Threat General Order) or the General Order for Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

G-1 (cont.)

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For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit.

(G-1 (cont.)

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml

If you have questions regarding these comments, please contact me at (916) 464-4644 or Stephanie. Tadlock@waterboards.ca.gov.

Stephanie Tadlock Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento

Response to Letter G: Central Valley Regional Water Quality Control Board

Response G-1:

This comment is noted. The comment describes the regulatory setting, including the Basin Plan and the mandatory antidegradation policy contained in the Basin Plan. The comment proceeds to describe the specific permitting requirements for construction, industrial, and municipal discharges as well as permitting requirements associated with the Clean Water Act and dewatering of and/or discharge to waters of the United States.

The project would be required to comply with construction-related National Pollutant Discharge Elimination System (NPDES) requirements (see IS/MND, Geology and Soils, and Hydrology and Water Quality), operational NPDES requirements (see IS/MND, Hydrology and Water Quality), and Clean Water Act requirements (see IS/MND, Geology and Soils, and Hydrology and Water Quality). No further response is required.

Petition Regarding North Main Commons Project RECEIVED

Petition summary and background	Traffic	COMMUNITY DEVELOPMENT DEPARTMENT
Action petitioned for	We, the undersigned, residents of the neighborhood South of the proposed North Main Commons Project will be adversely impacted by the traffic caused by its connection of Aksland Drive through to Northgate. We petition that the City of Manteca REQUIRE THAT AKSLAND DRIVE DOES NOT CONNECT TO NORTH MAIN STREET AT ALL.	South of the proposed North Main traffic caused by its connection of Aksland AKSLAND DRIVE DOES NOT CONNECT TO

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Petition Regarding North Main Commons Project

Fention Summary and background	Traffic
Action petitioned for	We, the undersigned, residents of the neighborhood South of the proposed North Main Commons Project will be adversely impacted by the traffic caused by its connection of Aksland Drive through to Northgate. We petition that the City of Manteca REQUIRE THAT AKSLAND DRIVE DOES NOT CONNECT TO NORTH MAIN STREET AT ALL.

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Petition Regarding North Main Commons Project

Traffic	We, the undersigned, residents of the neighborhood South of the proposed North Main Commons Project will be adversely impacted by the traffic caused by its connection of Aksland Drive through to Northgate. We petition that the City of Manteca REQUIRE THAT AKSLAND DRIVE DOES NOT CONNECT TO NORTH MAIN STREET AT ALL.	
Petition summary and background	Action petitioned for	

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Date: May 21, 2018

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Petition Regarding North Main Commons Project

Petition summary and background	Traffic
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14 A.,	A. How Order	attound	1186 may De Matech 204-405-7408	204-401-7408	3/18	
15 Bever	enty Froma	Bara le Freen	1784 May are marked 209 824 MPK 3/18/18	My 209 824 M	× 3/12/4	کم
Kali.	_		1202 MAY 4VE.	209. 4711 - 6442	3.11.8	•
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Sur	18 Ruth & Moreon	Buthe, Moran	13/4 may are montes	209825-5746	3-10-18	
O. Pri	19 Other in Doctor	Patricio Datos	1207 May Are Martea	2095/6-1563	3-16-18	
7	20 In almale	Toni HAmedr	1227 May ave		3-6-18	
Q	Bert Ward	BLET AlAMEDA	1227 May QUE.		3-19-18	
22 6 4	Larry Daigle	706-7	S41 APRIL Way	2099930683 3-19-18	3-19-18	
23 Dane	ne nez	d d	591 Ward Way		3/14/18	
2 Kevit	-	Keingers	591 WARDWAY		3/10/18	(
Marka	\$	Mathemater	19 WARDMA	>	3/16/18	Do
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00	Date	3-20-18	3-20-68	3/20/14	3.20.18	81 pake	3/00/5	3/20/15	3/20/18	3/20/18	8/20/8	5-10-K	3.20-TV	3-20-18	3-20-18	3.20-(8	3-20-18
-	Phone number/ Email 0)	7241-558-502	209-555 1694	2009 6399523	0505-669-606	鬼			229 825 9456	209 825 9456	28-925-0023	209-483-3810		218-207-602	701-609 Pag		269-679-3287
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	Signature		Ming	J. W.	Smille			Jam Surch	Bernany		To De	a	RADOLA DADIEC	at 30 Sh	Kimberly Dadley Kimbay, Ouds	400	
	Printed Name	26 CHORDONG SHORM	27 my Rng C	28 (Amishin Moraus	' 	30 Oraște Let	1	32 1/1.00	33 Reserven McClfres	34 Bin neerfood	35 THEEN CAMPHIES	Ans M.C	الحيا	25 Level Dull	34 Kumberly Dadle	to Caig (Moraley	江

	Printed Name	Signature	Address	Phone number/ Email	Date
갈	Karen Wiggin	Kour Win	Koren War 660 swallanda	612-00s	300-12
3	Restorars		663 Swallow D.	/FEE	3/00/8
丰	Scott Smith	Koth Change	1	823-6974	3/20/18
<u> </u>	Carol AKsland	Sand	1337 Ghaband Dr	209 479-8165	3-22-18
¥	Patti (Clotter		1351 Ateland Dr. 201-482-8106	2018-484-8106	32348
7	Day Hall	Jone FLATTER	1351 AKSLEND DA.	209-403-0882	3-23-18
· ¥	Spare Ard and	May (slup	1377 Arsland or	209 478-8165	3(22/18
3	Real Farias		466 April Way	2093619.3761	ę
B	Daya	Novalar Sight	Landas Sinth 1320 April Place	2099498413	3-23-18
15	Barel Sheel	1-16	SYZ WARD WAY	209 594-6296	3-23-18
25	Thomas,	THOMAS COLEMAN	HOMAS COLEMAN 1173 MT. BEW. AVE.	209 823 6470	3-23-18
, R	replied singl	NOW MOSA	1208 NJBA 1161 Mt. Den the	(200) [004-1860]	3/22/18
古	Dinegvern	7-4	Michallower bat Swallow Dr.	209-239-5168	3/23/18
55	DAVID CHOSCOMIN		624 Sumon m.	209-239-5168	3/23/18
56	Jesten Catollo		1263 Birshan-Ch.	CS) t-500 \roe	2/20/10
57	haiden Ma	() () () () () () () () () ()	1161 Mt. Day fore	100) (001-1753	5/23/18
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Date 3/23/	3/25/8	3/21/18	3/27/18	17 ,						
Phone number/ Email	CUITSON 191165mapson	leastv13@100.com 3/27/18								
Address (161 MT The) Run	420 APRILWAY	426 APRILWAY	Rose T. Kandy 494. SWALLOW DR.	1.32 MPy -	,					
Signature	Landin 26al 420 APRILUMY	Trunk Leal 420 APRILWEN								
Printed Name	58 Christian Wilson	60 FRANK LEAL	61 ROSE KNAPP	62 INDI/B.						

Petition summary and sackground	Traffic
Action petitioned for	We, the undersigned, residents of the neighborhood South of the proposed North Main Commons Project will be adversely impacted by the traffic caused by its connection of Aksland Drive through to Northgate. We petition that the City of Manteca REQUIRE THAT AKSLAND DRIVE DOES NOT CONNECT TO NORTH MAIN STREET AT ALL.

	Printed Name	Signature	Address	Phone number/ Email	Date
	laced/becinent		13341445 brd 1012, 204-2757	206.2757	3/10/18
2	Roy D. Lower	Care Di	412-4 Kslandct	823-2646	3-17-18
3	Devise IRVIN	Menie grou	mus Irun 442 AKSland CF	873-2646	3-17-18
+	Bill JEFFERS	B. W. Valler	431 Akstywel CT	208-239-502	3/11/16
S	Marthy Iste	- mass getter	- 43 Alsoland Ct	205-237-502	3-1-6
O	TERESH CUTHWILL	Joseph Luthaller	1836 APRIL PL	209-823-9600	87-27-8
	Rav (3, rum 11)	CA. W. The Och	1336ABKIL PL	r 1 11 1.1	3-17-18
8	Jenn Patha	John Her	1343 Apr. 176	204-483-0007	3-+3-18
<u>a_</u>	ER Putters.	<i>U</i> 1	1343 Apr. / PL	206-483-0607	3-1716

	Printed Name	Signature	Address	Phone number/ Email	Date
9	Tan E	Diane Bulingano)ione Bulingano 1331 April Place	at burlos Act, COM	311/118
=	Gary		1331 April Place	60 Burl B AN. Com 3/17/18	3/17/18
12		M.Q.	1136 Bud PC	uliss 2001 Dyahoo. com	3/1/16
5	13 Christing Merlin	. Of Mak	1136 Sud 01	Nadelassa yahasam 2/12/18	* H12/18
ナ	14 dermen Nowo	derpor low	527 April Way	nmoverolle agmail.com 3/1/18	81/11k
15	15 Melse (Endlines	The Harm	SISApril Way	(209) 308-5475	3/17/18
3	16 rolling Paralas	12 M	SES April Wast	(300) 922-4398	3/121/8
	TO ROW FRIAK	nand &	535 April war	(408) 62 (-752S	3/11/2
71	WE Farias	Dit	535 April Warp	1603/674-0051	3/17/18
9	19 Wasin Silve	7775	Syz ford way		2/2/18
8	Reinn GSTA	1. Cold	439 Apr. 1 WAY	510 952 1100	2/7/18
7	21 MARION ELLIOTT	mas Societ	421 APRIL MAY		र्यातिक
22	22 MONA ELLIOTT	Mora Zelliot	None Zerid 421 APRIL WAY	l	
23	Markilliamblich		STATE AND NOW	V V V 1 4-1	3/17/8
が	Red At The London	A Child Tan Med	W W	1×10^{10}	3/11/18
3,5	Cind Mendez	Janely Newla	1325 Akstand Dr.	2781P-428 (202)	3/14/18
		}			

	Signature	Address	Phone number/ Email	Date
26 Zelle Mender 3r	3 elle Mardy 1	1325 DKSLAND Or.	(204) 824-9755	3/18/18
27 MR. 260.	1 cla Krime	1324 alpstand On 109. 8249753	109.8249753	2/18/16
28 Candide Mondas	19	13.25 abstende OR. 209-8249755	209-8249755	3.18.1K
29 LAHLAU HAMICHE	D 1	1322 AKSLAND AR	510 478 3010	3-18-18
30 NABILACHERGUI		1311 Aksland dr	510 730 9809	3-18-18
	Man & alama	13th AKSLAND OK	209-985-4655	3-18-18
(00	510 Word War	9406 184 (602)	3-18-18
33 Jugani Aster	Usano Romano	510 was a bay	(209) (p12 000SE	3/18/18
34 Sint Wastehow	1	530 Ward Was	709 612-5207	3/18/19
35 Bran lie Moorehanne	00		או ונ ונ	13/18/12
72		522 Ward Wy.		
37 (1941, (1) 60	1	SSH Wase Way	209-239-9865	3/18/18
36 Chilled B	CA THUNG	SSY WASK Way	209-229-9865	3/18/8
Trail Rolling	TAOS MAN	588 Wald Man	2/88. 276-602	3/18/18
Michelle Co	JON STR	583 Ward Ward	(909) 470-3948	3/18/18
I Exactor Forming Any	Om de	583 WOND (MON	(5/0) 909 4954	3 8 8

Prin	Printed Name Signature	Address	Phone number/ Email	Date
25 S	Sherry Whish Should Gustu	568 Ward West	209 823 4541	3/18/18
あ		439 April Way	8464-124-POL	3//8/18
\$ 5	on Morto 1 679 ward wa	4 Willet	U32 B	2/20/18
5/4	15 teametra Danbort 1079 was about	10 xx	3/20/10	3
5	Motherine Times 1003 Which When	When Control	3/20:18	25
5,5	RATION DESCRIPTION LYNN	NEW RAY BUT	81 648	
S. E.	R	Day ward Freeze	20/08 E. 20/18	
A	on at han (15th 631 water way	- CO	2/20/18	
B	8	way last	1,000 1/22/K	
5	Jennifer Cohen 1047 Ward Man	May Hy	5/20/16	
ISV	Sherry	uso swallow et	6330, 1188804	3.25.18
7	Johneling Mixing	All Swallow GE	1209-470-9727	3-25-18
1 Co	Peyton Lind Heller	2111 Swallow Of	01-52-522-602	3-52-18
11	Trank Jothnsmother Holle	1174 Sympotime Ace	209-825-7476	3-36-18
193	Phisabthan Danserathan	Juzy Spanotine fee	204-825-7476	3-72-18
<u>10</u>	Thelly Worker Shelly was	116 Espring time due.	209-670-6265	3-210-18
¥	Madalym Gorales Madrilym Grizalis	11 de Soingtine ave.	209-	81/00/00

Printed Name	Signature	Address	Phone number/ Email	Date
Martha Dastin	Marthy Hartin	374 April Way	209-986-8511	3/8/18
María Dias	maria Die	374 April Way	1415-528-802	3/18/18
Andrew Grang	FA	447 Fan Ct	204-674-8776	3-25-15
Not Chaves	200	447 Fown Ct	408) 384-941Ul	3/25/18
- (UNI (105/2))	In Cash	410 Faun (-1	7209) 275-56CK	3/25/18
PHVLL13 Frahm	Shullis Frakm	448 Jaun ct	(209) 223-2482	3/25/18
Fran Lane	- Lien Jane	426 Swallow Ct.	24-823-9488	3/25/18
MARTIN PLANT	Mark floor	1146 SPRINGTIME	7551 788 LOC	3/25/8
Lemuch Jackson	Semuel Bothon	449 WARD CT	309-339-7596	3/25/14
CAROL MONTGOMERY	Carel Mortgemeny	1154 Springtime ave.	204-239-5862	3/26/18
RAYMOND THERIAULT	Mayone Theresal	1154 Springtime are.	209-239-5862	3/26/18
Men, ABRE	MAR ah	373 APRIL WAY	204-824-5308	3 27 18
(C)	Judy show	373 APRIL WAY	204-824-5300	3 27 18
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Traffic	We, the undersigned, residents of the neighborhood South of the proposed North Main Commons Project will be adversely impacted by the traffic caused by its connection of Aksland Drive through to Northgate. We petition that the City of Manteca REQUIRE THAT AKSLAND DRIVE DOES NOT CONNECT TO NORTH MAIN STREET AT ALL.
	We, the undersigned, residents Commons Project will be adver Drive through to Northgate. We petition that the City of Mar NORTH MAIN STREET AT ALL.
Petition summary and background	Action petitioned for

Printed Name Signature ,	Address	Phone number/ Email	Date
Jamie Huffman/Pam9 Culman	m 1343 Andrew Lane	(209) 950-5799/rlongranch@anapalog	3/17/18
Therest A Quen Therest & Quen	er 1387 Andrewlan	३०४ हिउ प४१८	3/12/18
Terri Campa Jose Para	Jose Pange 140 AKSland Br.	EGTS-1917-1902	31/11/8
)	- WHA Aksland OR.	209-481-1157	81/L/16
		5215-186-505	31/4/5
DARROW SWIFT	1384 Aldry WAA	209-275-7505	3/11/18
CUPME DEMPRE 1, km, willing	1376 AtSland		81/18/6
1 HX			8/12/1/80
-		209 823-0921	3.17-18

Date: May 21, 2018

	Printed Name	Signature	Address	Phone number/ Email	Date
	Painthuischoich	CHUCANO.	1327 Ardrew Ln.	(209)823-1357	318/18
	(hrys Tacres	(Any Voues	1375 Andrew In	(209) 518-376 B	3(18/18
	Robert Torres	Robert Town	1375 Ardrewla	(209) 595-7636	3/18/18
	Lsmeel Amesia	1 Johnsel May	ì	1405 AKS land Drug 209 823577	3/18/18
	Down William	1 Pall water	1385/KSland In (201) 239-5453	.	21/8/18
	Dany due	Meny Collection	1385, 1AK8 land ch (507) 287, 6453		8/18/18
	Tonun Campos	Maconangel	13 Ste andres Lare	209 471 1064	3/19/18
	RANDAN (MUCE	Vinded by	1376 ANDREW CANTS	208-971-0518	2/13/18
	Jesselen Pamms	Semply Como	3/2 April way	209 471 4107	3/19/18
A		Would,	55) April Way	5	8/20/18
	Why was Promos	h long of Marin	BI April Car	(442) (35-5508)	<u> </u>
	anile about	Na X	1 D1 140"	408) 614-148b	3/1/18
	Sichard Marie	Jakan I Man	5570 Ward Way	5/6 6/25579	3-23-18
4	All ichelle Calmit		583 (work Way	SUP 470-3943	3-23-18
\$	Jeef Parion	Marc	1150 idy Dew	209 380 975 L	5 : (7 /
	Ed Nurer	W	1144 Mt Doin Am	234.624.6928	2/23/18

Printed Name	Signature	Address	Phone number/ Email	Date
JE55/6 SOUTE	Ma	1128 Mountain Dew aive.	209-679-6522	3-23-18
J- Kal Telles	Mille	1153 M. Dew Max	209-601-5175	3254
PAUGEST	far Sun	1145 INT DEW AVE	1	3/23/18
SAMURICADI (420	South Las	1129 MADES ON	209 823-3036	31/27/18
Dipe filmost	The Alexen	17738) Andrew Lanc	2013 523 pm	31018
KINDS FIC IPOUSKI	Duper 4	4) Careful (338 HNDilato (12	208823 5705	3.26/18
KON HUSTHER	Elyn	dasker 1400 aksland dr	1771-866 (057)	3/26/18

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Traffic	We, the undersigned, residents of the neighborhood South of the proposed North Main Commons Project will be adversely impacted by the traffic caused by its connection of Aksland Drive through to Northgate. We petition that the City of Manteca REQUIRE THAT AKSLAND DRIVE DOES NOT CONNECT TO NORTH MAIN STREET AT ALL.
	We, the und Commons F Drive throug We petition NORTH MAI
Petition summary and background	Action petitioned for

Printed Name Signature	Address	Phone number/ Email	Date
TAK IN HOVICS IN WHI	293 LAUCASTER DR. (209) 825-4285	(304) 825-4285	3-17-18
Cies Filovics Cles Finais	293 Lancastu Dr.	(200) 825 -428S	8-17-18
Indi (Vinkaio And Charle	1	9249-518(609)	3-18-16
Dage List Con List	295 (2003fer Dr. (1209) 8254285	5867-503 (608)	3-28-18
Jim Himes James Houng	and Hanis, 321 hoso Gardon C1 204 2752650 3/30/	204 2752650	2/20/18

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Petition summary and background	Traffic
Action petitioned for	We, the undersigned, residents of the neighborhood South of the proposed North Main Commons Project will be adversely impacted by the traffic caused by its connection of Aksland Drive through to Northgate. We petition that the City of Manteca REQUIRE THAT AKSLAND DRIVE DOES NOT CONNECT TO NORTH MAIN STREET AT ALL.

Printed Name	Signature	Address	Phone number/ Email	Date
General (Law Kallou	(209) 223-0397	7561 823-0397	3/18/18
13000 J	JOHN SE	10 47 45 Min, him fry 60% (86)	779 605 (BC)	
SHRICY WHITE,	Opiles In Dite	Philey Miles 1186 SPRINGTIME ANG 209-825-1706		3-18-18
Amela 'Plant	Famela Plant	Famela Plant 1146 Soungtone are	209-601-1824	3-18-18
Martin Plant	Markin floor	1186 Soringtime Avenue	101-386-1536	31818
Main Castro	MAN	422 March Drive,	4191-4LL-015	3-23-(8
Dorman Project	Uman Parost	422 March Dive	210- 4-10-88-18	3-23-18
(mal/sup)	Sold Of	396 March Dr	Chapen 602	3-44-13
Bruce King -	Sue Dis	391 March Dr	861518h 608	3-94-15
)				

Printed Name Signature	Address	Phone number/ Email	Date
The Second	437 word ct.	2404-826(457	5-25-18
13	426 Ward Ct.	209,825,5455	3/25/18
PANIFYENI PAGA	450 WANDCF	115-516-8687	3-25-6
Gred Gumont of Sunt	388 March Drive	S6115 600 602	3-52-18
PATRICIA PODESTA TITUCIAS POLLESTA		209-505-7113	3-32-18
NA FOR	350 March Dr	9257-187-6528	3-22-6
	SK morely Dr	209) 823-3510	3-25-18
Berta Openz Malle	Ċ	201-823-3610	335-18
Usitiv Gallost Ille	1275 Swalner CA	164/088239	2/25/18
THOMAS SILM The Me	1255 sweetbrier P)	2858 873 602	3/25/18
Hot Silva Harme	BSS Swathing Joy 873982	309 873 7582	345/18
Lanni Whistis If the A	331 MARCH PR	309-828-4396	335/15
Tucan matte Theamy might	33 Wach Dr	209 825-4398	3/25/19
The state of	331 March Dr.	(2001)825-4393	3/25/18
Kawidan Man	33 MARCH DR	184 BOS 4396	3-36-5
Kesinkale 1	349 Mwch Dr,	209 430 9088	8/50/8

Date: May 21, 2018

3/29/18 3/29/18 3/29/18 3/39/18	
	in the same
Address SELmerste Coop RAP 135 335 Lancaste B. Razzysmonlogo gno 281 Lancaste B. Razzysmonlogo gno 281 Lancaste B. Razzysmonlogo gno 345 Cuncester Dr Steuzert, henree 417 Ward Ct Aubylme-Cognicil. Co	Signature Signature
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measter Br neaster Br neaster Br neaster Br neaster Br	DV DV I'M'S AVE MANGE
Address 382 Lancaster Br 381 Lancaster Br 345 Cuncesta Ox 417 Ward C4	445 AKSLAND CT. 421 MAYCH DY 422 MAYCH DY 1271 Springtime AVE 1255 Springtime AVE 395 March AB.
333 Address 333 417 (417)	445 N 421 V 422 N 1271 1255 1255 395
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	Mary David
Anney Brawning Silvic Gutierer Silvic Gutierer Mena Stewer Micheles Buhm	L 2 E 4 7 0 V 8 6
Ame Bilvia Gundalishichilas	

Printed Name Signature	Address	Phone number/ Email	Date
30 MG Wars	For Mascu On	12 20 471 0327	# 12-12018
their Awells Patricia Wells 301 March	301 March Dr	209-825-5720	725/2018
	all Crawthey 1235 Sweetbreet	201 481 9349	3/23/18
Church How Crawder	on Craw 1235 sweetlaner!	209 461-10168	3/25/18
The same of the	321 Rise Garden of	3-629-5879	3/25/18
Will Moore Shaly Moey	344 ROSE GARDEL CT	369 239 -5791	3/25/18
Woble Lew able	412 wars of	309 825 3976	3/1/18
6	42 word Cf.	39 H23-7301	99/18
Dunie Blevins 700	421 Jancaster ST	12/2/5-0421	3/24/18
CHAMPION ON WAY		209 923-0936	3-77-8
lichely Domeier Michely Doneie	(-	209 403-1512	3-26-18
T X	347 LAYKASTER DR 209 823 62/9	209 823 62/9	3/26/18
STEVE ALTEMIK Steve allers	347 LA MCACTER OR 209 823 6219	209 823 6219	3/26/18
Mr. Finding Hold	436 LANCASSER DR. 209- LOCG -7275	209- Lach -7275	3/29/18
scolo Cippos P	436 CAUCIASTER DE.	209-225-5477	3/29/18
Action of the second	352 Lancates Dr	209-923-1730	3/1/18

Date: May 21, 2018

Petition summary and	Drivoov	COMMUNITY DEVELOPMEN
background	rivacy	DEPARTMENT
Action petitioned for	We, the undersigned, residents of Andrew Lane will be adversely impacted by the loss of Privacy	acted by the loss of Privacy
A 50	caused by this project. Our neighborhood is all single story homes. The possibility of two story	The possibility of two story
	homes being adjacent to our backyards IS NOT ACCEPTABLE.	
	We request that the City of Manteca require that all homes within North Main Commons that	th Main Commons that
	adjoin our neighborhood be limited to single story homes.	

Printed Name Signature	Address	Phone number/ Email	Date
A Maestroth ON Mastre	1315 maden 8 Arc	209-823-6921	03/29/14
Linas Maesterth Cola Metilla	(315 and 20) Lar	204-823-092 1	3/29/18
HARE FIL POWSY WALT P. BOWER.	1338 ANDROW LA	201 823-57105	3-28-18
Lute All winds	1338 Andrew LM.	109-423-5705	22418
JUDY HBREID Cash alrew	373 april Wy	209-894-5308	3-29-18
MEL DAREN MI MI	373 april Wy	209-824-5308	3-29-18
Brien Swith Burn Swiff	1354 Andrew Lane	209- 456 - 2942	3-29-18
12	346 - APRIL W. 74	208-612-1768	8.29-18
LANTICL CAMBS (MASSILL CAMPO	1326 Proples Lu.	209- 471- 0538	3-22-18
New ange Han Cent	1326 andrew Lyne 209 471 1064	401 174 POG	3/29/18

Petition summary and background	Privacy
ction petitioned for	We, the undersigned, residents of Andrew Lane will be adversely impacted by the loss of Privacy caused by this project. Our neighborhood is all single story homes. The possibility of two story homes being adjacent to our backyards IS NOT ACCEPTABLE. We request that the City of Manteca require that all homes within North Main Commons that adjoin our neighborhood be limited to single story homes.

Printed Name Signature	Address	Phone number/ Email Date
Dame In Huiseinson (A) 14 1800	1327 Andrewin, c	1327 Andrew (Maintegal (204)823 1357 3/29/18
	Mantecs	207 275-3037
Trady Tolseson March	S+ Howland La.	Harly Aussen Estance
PARTICIONES THEXILLY	1343 ANDREW LN	201496-5599 , rengranch Quehoo.co, 3/29/18
Jamie Und Jamasand	1343 Andrew Un	Inttimanis Edding.com 3/24/18
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JUDIECUSIA JUNGCOSAM	1411 Orndraw In	5/27/10
	/ / /	SINTAUORJAMS (CACLICOM 4 21/19
S. CIRATOR COST	1401 Contracts	
(816 1 200 . NET
TOW WEBER (IOM Mehan	1561 ANDRAWING	800
Walson C.A. Nober		815 6278 MSH 3-31-18
Carrie Bray (diprina/100)	1433 Andrew Lin	4-2-18

Petition summary and background	Privacy
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Printed Name	Signature	Address	Phone number/ Email	Date
Theresa A Chim	Muns & Oven	1387 Andrew Lane	S68 (23489S	3/24/18
DOGUE CHEN	Loyd Cun	1387 ANDREW LANK	(209) 823-4895	3/29/18
tan ott	See	1366 ANDraw 14WE	(209) 481-2296	3/20/18
KAREN OFF	frem Tell	1366 ANDING MANGE	(208) 823 - 1020	3/20/3
Carred Courses		Dues 1375 Andrew Lave (269) 518-3768	(209) 518-3768	3/29/18
Robert Tong	S Robert	ent Towner 1375 Andrew LANE		3/29/18
Leves Mune		1303 Andrew late	(2001) 825-1920	81-62-8
COSPU NAVANO	ath prome	1491 Andrew Land	9509-SES (500)	3-29-18
RATUALR		1419 ARDROW LAW	510-509.0064	2/20/18
Thomas was a	The state of the s	1419 Adeas LN	5591-049-528	3/12/18

Date: May 21, 2018

Response to Letter H: Residents of the neighborhood south of the project

Response H-1:

This comment represents two petitions from residents within the neighborhoods surrounding the proposed project. The first petition (Traffic) requests that the City not allow the connection of Aksland Drive to North Main Street. The second petition (Privacy) requests that two story homes not be allowed to backup to the existing residences located along the eastern boundary of the project site. This was received by the City of Manteca Community Development Department on April 2, 2018.

Traffic Petition Response

These petitions are noted. The City has engaged a traffic engineer to analyze Askland Drive for a thru-way and non thru-way road. It is noted that the City has always planned to connect Askland Drive to Northgate. This has been a planned extension in the General Plan Circulation Element, and is why the existing design of Askland Drive is not a cul-de-sac, rather it is a terminus with barriers. The following presents the analysis by Fehr and Peers.

A detailed AM peak hour, PM peak hour, and Daily trip generation and trip distribution analysis was completed for the following two roadway alternatives:

- 3. Extension of Aksland Drive from its current terminus at Andrew Lane to the future four legged signalized intersection at Main Street / Northgate Drive; and
- 4. Emergency Vehicle Access (EVA) gated access only between Aksland Drive and the future four legged signalized intersection at Main Street / Northgate Drive.

Trip Generation Analysis: The trip generation of the proposed project was estimated for Daily, AM peak hour, and PM peak hour conditions using trip rates published in the Trip Generation 9th Edition (ITE, 2012). Table 1 summarizes the estimated trip generation of the project. Based on the project's land use plan, the proposed project would generate the following:

- During the morning peak hour (7:00 to 8:00 AM) A total of 117 vehicle trips, with 29 inbound and 88 outbound;
- During the evening peak hour (5:00 to 6:00 PM) A total of 157 vehicle trips, with 99 inbound and 58 outbound; and
- On a Daily Basis (24 hours) A total of 1,492 vehicle trips, with 746 inbound and 746 outbound.

Date: May 21, 2018

TABI	LE 1
PROJECT TRIP GE	NFRATION

	Quantity	ITE Land	Peak Hour Trip Rate ¹		Trips									
Land Use	[1,000 sfl	Use Code	АМ	PM	Daily	AM Peak Hour		PM Peak Hour		Daily In Out Total		Total		
Single Family Detached Housing	158	210	0.74	0.99	9.44	29	88	117	99	58	157	746	746	1,492

Notes:

5. Trip rates from Trip Generation (ITE, 10th Edition - 2017)

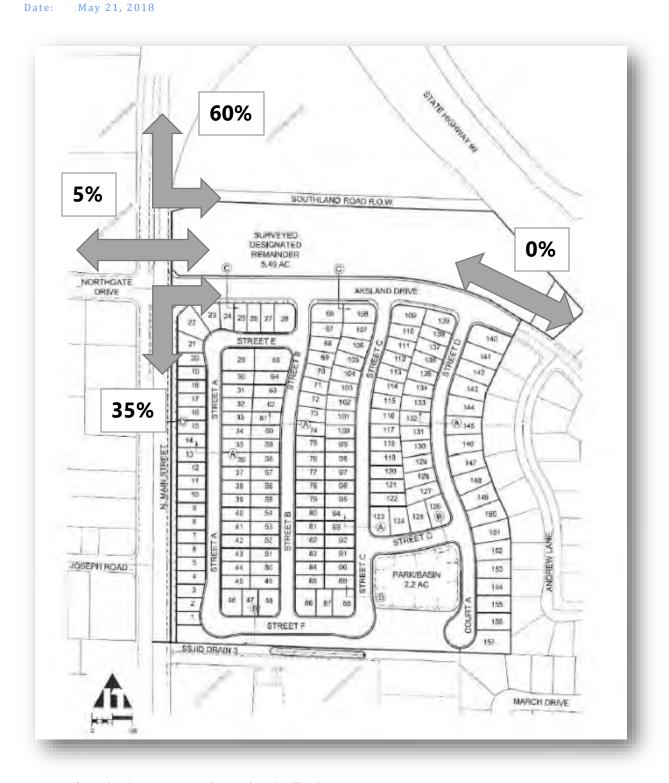
Source: Fehr & Peers, 2018

Project Distribution and Assignment: The City of Manteca Travel Demand Forecasting Model was used to determine how project-generated traffic would enter and exit the North Main Commons Subdivision based on the following two roadway alternatives:

- 3. Alternative A Extension of Aksland Drive from its current terminus at Andrew Lane to the four legged signalized intersection at Main Street / Northgate Drive; and
- 4. Alternative B Emergency Vehicle Access (EVA) gated access only between Aksland Drive and the four legged signalized intersection at Main Street / Northgate Drive.

Results of Alternative A: The analysis shows that during all three time periods, a combination of the following parameters result in all project-generated traffic using the Main Street / Northgate Drive / Aksland Drive intersection:

- Proximity of the project site to Main Street;
- Signalized full access intersection
- Distribution of traffic to the following directions:
 - 60% NB Main Street towards Lathrop Road and the SR 99 / Lathrop Road Interchange
 - 35% SB Main Street towards downtown Manteca and the SR 120
 / Main Street interchange
 - o 5 % WB Northgate Drive towards Union Road and Airport Way
 - $\circ~$ 0% EB Aksland Drive towards Springtime Avenue and Louise Avenue



North Main Commons Project Trip Distribution

It should be noted that the extension of Aksland Drive from its current terminus at Andrew Lane to the Main Street / Northgate Drive / Aksland Drive intersection would also result in the following traffic circulation changes:

- A small percentage of the existing residences located in the neighborhood bounded by Louise Avenue to the south, Ward Avenue / April Avenue to the East and Springtime Avenue would use Aksland Drive to and from the Main Street / Northgate Drive / Aksland Drive intersection. This would be approximately 10 vehicle trips during morning and evening peak hours; and
- No cut through traffic from Louise Avenue or Main Street would use Aksland Drive to and from the Main Street / Northgate Drive / Aksland Drive intersection.

Results of Alternative B: If an Emergency Vehicle Access (EVA) gate access is only provided between Aksland Drive and the four legged signalized intersection at Main Street / Northgate Drive, response times would be increased as fire personnel would be required to stop, exit their emergency vehicle, and unlock the gate. Under ideal conditions, this can add an additional 60 to 90 seconds to the total emergency response time. During evening or weather conditions, this has the potential to add an additional 60 to 180 seconds to the total emergency response time.

And because no (0%) of North Main Commons traffic is projected to use Aksland Drive east of the project site, the EVA gate access alternative would negatively impact emergency response times to and from the existing neighborhood and Springtime Park. Therefore, Alternative B (EVA gate access only) is not recommended based on traffic circulation and potential adverse impacts to emergency response times.

Privacy Petition Response

This City has zoning and building standards for building height and setbacks within a residential zone. The City will ensure that requirements are adhered to in the building plans. The zoning code allows a maximum building height of 30 feet in the R1 zone, which would allow a two-story residence. The building would be required to be setback 15 feet from the rear property line in accordance with the setback requirements in the zoning ordinance. The City will impose these standards on the residences just as they would for any residence in the R1 zone in other parts of the City. It is noted that the property owner could volunteer to restrict the 18 lots along the eastern side of the project to one-story residences, however, the City cannot impose standards that are stricter then the zoning ordinance allows.

Date: May 21, 2018



SAN JOAQUIN COUNCIL OF GOVERNMENTS

555 E. Weber Avenue . Stockton, California 95202 . P 209.235.0600 . F 209.235.0438 . www.sjcog.org

San Joaquin County Airport Land Use Commission/Congestion Management Agency

Kathenne Miller

Robert Rickman

Andrew T. Chesley
EXECUTIVE DIRECTOR

Member Agencies
CITIES OF
ESCALON,
LATHROP,
LODI:
MANTECA,
RIPON,
STOCKTON,
TRACY,
AND
THE CCIUNTY OF
SAN JOAQUIN

April 2, 2018 Adam Paszkowski Planning Division 1001 West Center Street Manteca, CA 95337

Re: North Main Commons Subdivision (Deadline: 4/2/18)

Dear Adam Paszkowski,

The San Joaquin Council of Governments (SJCOG), acting as the Airport Land Use Commission (ALUC) and Congestion Management Agency (CMA), has reviewed an initial study and mitigated negative declaration for a subdivision of 158 single family homes southwest of SR-99, east of North Main Street, Manteca (APN: 218-100-01 & 02).

CONGESTION MANAGEMENT AGENCY'S REVIEW

SJCOG adopted the 2016 Update to the Regional Congestion Management Program (RCMP) (http://www.sjcog-rcmp.org/ literature 231152/2016 RCMP Update Adopted Report) on March 24, 2016). Chapter 6 of the RCMP describes the updated Land Use Analysis Program, including Tier 1 and Tier 2 review/analysis requirements, analysis methods, impact significance criteria, and mitigation.

SJCOG has the following comments after reviewing the North Main Commons Subdivision Initial Study/Mitigated Negative Declaration.

- Page 58 to 59 There is an inconsistency between the chart and responses.
 The chart lists questions a. and b. as "Less Than Significant Impact;" however, a different determination was identified in "Responses to Checklist Questions." "Less than Significant with Mitigation" is indicated for responses to questions a and b.
 - a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?
 - b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

In addition, Mitigation Measure TT-1 is indicated.

"Mitigation Measure TT-1: Prior to issuance of building permits, the project applicant(s) shall contribute all applicable fees to cover their proportionate cost improvements in order to satisfy their fair share obligations, as determined by the City of Manteca Public Works Department."

- Page 59 Response to question d and e indicates "Less than Significant with Mitigation;" however, no mitigation measure is listed.
 - d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous

1 | Page

1-2

1-3

1-4

intersections) or incompatible uses (e.g., farm equipment)?

I-4 (cont.)

e) Result in inadequate emergency access?

AIRPORT LAND USE COMMISION'S REVIEW

This project is not located within airport influence area; thus, no further review is required at this time.

SJCOG would like to provide standards and project design conditions that comply with the Airport Land Use Compatibility Plan as a reference guide (if applicable).

- New land uses that may cause visual, electronic, or increased bird strike hazards to aircraft in flight shall not be permitted within any airport's influence area. Specific characteristics to be avoided include:
 - a. Glare or distracting lights which could be mistaken for airport lights. Reflective materials are not permitted to be used in structures or signs (excluding traffic directing signs).
 - b. Sources of dust, steam, or smoke which may impair pilot visibility.
 - c. Sources of electrical interference with aircraft communications or navigation. No transmissions which would interfere with aircraft radio communications or navigational signals are permitted.
 - d. Occupied structures must be soundproofed to reduce interior noise to 45 decibel(dB) according to State guidelines.
 - e. Within the airport's influence area, ALUC review is required for any proposed object taller than 100 feet above ground level (AGL).

1-5

- Regardless of location within San Joaquin County, ALUC review is required in addition to Federal Aviation Administration (FAA) notification in accordance with Code of Federal Regulations, Part 77, (https://oeaaa.faa.gov/oeaaa/external/portal.jsp) for any proposal for construction or alteration under the following conditions:
 - a. If requested by the FAA.
 - b. Any construction or alteration that is more than 200 ft. AGL at its site.
 - c. Any construction or alteration that exceeds an imaginary surface extending outward and upward at any of the following slopes:
 - 100 to 1 for a horizontal distance of 20,000 ft. of a public use or military airport from any point on the runway of each airport with its longest runway more than 3,200 ft.
 - ii. 50 to 1 for a horizontal distance of 10,000 ft. of a public use or military airport from any point on the runway of each airport with its longest runway no more than 3,200 ft.
 - iii. 25 to 1 for a horizontal distance of 5,000 ft. of the nearest take off and landing area of a public use heliport
 - d. Any highway, railroad or other traverse way whose prescribed adjusted height would exceed the above noted standards
 - e. Any construction or alteration located on a public use airport or heliport regardless of height or location.

Thank you again for the opportunity to comment. Please contact CMA and ALUC staff Travis Yokoyama (209-

1-6

Date: May 21, 2018

235-0451 or yokoyama@sjcog.org) if you have any questions or comments.

| 1-6 (cont.)

Sincerely,

Travis Yokoyama

Response to Letter I: San Joaquin Council of Governments

Response I-1: The commentor provides an introductory statement that the San Joaquin Council of Governments (SJCOG), acting as the Airport Land Use Commission (ALUC) and Congestion Management Agency (CMA), has reviewed the IS/MND.

This comment is noted. No response is required.

Response I-2:

The commentor states that SJCOG adopted the 2016 Update to the Regional Congestion Management Program (RCMP) on March 24, 2016. The commentor also states that Chapter 6 of the RCMP described the updated Land Use Analysis Program, including Tier 1 and Tier 2 review/analysis requirements, analysis methods, impact significance criteria, and mitigation.

This comment is noted. No response is required.

Response I-3:

The commentor notes an inconsistency between the chart and responses on page 58 and 59 of the IS/MND. Specifically, the commentor states that the chart lists questions a) and b) as "less than significant impact"; however, a different determination was identified in the Responses to Checklist questions.

This comment warrants ra revision to the Initial Study identified below with revision marks (<u>underline</u> for new text, strike out for deleted text). None of the revisions identify new significant environmental impacts, nor do any of the revisions result in substantive changes to the Initial Study. The new information to the Initial Study is intended to merely correct and clarify the information. Page 58 of the IS/MND has been revised as follows:

XVI. TRANSPORTATION AND TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?		X	¥	
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?		X	¥	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				Х
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous		Х		

Date: May 21, 2018

intersections) or incompatible uses (e.g., farm equipment)?			
e) Result in inadequate emergency access?	X		
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?		Х	

Response I-4:

The commentor states that the responses to checklist items d) and e) indicate a "less than significant with Mitigation" impact; however, no mitigation measure is listed.

This comment is noted. Revisions to the Initial Study are identified below with revision marks (<u>underline</u> for new text, <u>strike out</u> for deleted text). None of the revisions identify new significant environmental impacts, nor do any of the revisions result in substantive changes to the Initial Study. The new information to the Initial Study is intended to merely clarify the information. Page 58 of the IS/MND has been revised as follows:

Responses d-e): Less than Significant with Mitigation. No site circulation or access issues have been identified that would cause a traffic safety problem/hazard or any unusual traffic congestion or delay within the proposed project. The volumes on the internal residential roadways (with residences fronting on them) would be relatively low such that no significant conflicts would be expected with through traffic and vehicles backing out of the driveways and/or garages within the project.

Most emergency vehicles arriving to and from the proposed project would need to pass through Aksland Drive, either from the west or the east. The internal circulation network of the project site includes and multiple access points, and a cul-de-sac is located within the southern portion of the project site (Court A) to provide turn-around ability for large vehicles. All project site access points would be designed to City standards that accommodate turning requirements for fire trucks. The multiple entry/exit points provide flexibility for emergency vehicles to access or evacuate from multiple directions during an emergency.

At the proposed project entrances from the existing Aksland Road and from North Main Street/Northgate Drive, there have been no safety, capacity, or sight distance issues identified. With implementation of Mitigation Measure TT-1, which requires the project applicant to contribute all applicable fees, implementation of the proposed project would have a *less than significant* impact relative to this topic.

Response I-5:

The commentor states that the project is not located within an airport influence area; therefore, no further review is required at this time. Additionally, the commentor provides standards and project design conditions that comply with the Airport Land Use Compatibility Plan, as a reference guide.

Date: May 21, 2018

This comment is noted. No further response is necessary.

Response I-6: The commentor provides a closing thank you note, and contact information.

No further response is required.

Date: May 21, 2018



STATE OF CALIFORNIA GOVERNOR'S OFFICE of PLANNING AND RESEARCH



April 3, 2018

RECEIVED

APR 0 9 2018

COMMUNITY DEVELOPMENT

Adam Paszkowski City of Manteca 1001 W. Center Street Manteca, CA 95337

Subject: North Main Commons Subdivision

SCH#: 2018032003

Dear Adam Paszkowski:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on April 2, 2018, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

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

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

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

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

Sincerely

Scott Morgan Director, State Clearinghouse

Enclosures

cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044 1-916-322-2318 FAX 1-916-558-3184 www.opr.ca.gov

Document Details Report State Clearinghouse Data Base

SCH# 2018032003

Project Title North Main Commons Subdivision

Lead Agency Manteca, City of

Type MND Mitigated Negative Declaration

Description The proposed project includes a GPA, Rezone, and a tentative subdivision map that would facilitate the development of 158 single family residential lots (with one unit per lot), one park/basin lot, and a

surveyed designated remainder lot, on a total of approx 30.17 acres.

Lead Agency Contact

Name Adam Paszkowski

Agency City of Manteca Phone 209-456-8523

Phone 209-456-85 email

Address 1001 W. Center Street

City Manteca

State CA Zip 95337

Fax

Project Location

County San Joaquin

City Manteca

Region

Lat / Long

Cross Streets N Main St & Aksland Dr

Parcel No. 218-100-01, 02

Township 1S Range 7E Section 28 Base MD

Proximity to:

Highways SR 99

Airports

Railways UPRR

Waterways San Joaquin River

Schools Manteca USD

Land Use vacant/mixed use commercial/commercial mixed use

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources;

Cumulative Effects; Flood Plain/Flooding; Geologic/Seismic; Growth Inducing; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply;

Wetland/Riparian

Reviewing Resources Agency; Central Valley Flood Protection Board; Department of Fish and Wildlife, Region 2;

Department of Parks and Recreation; California Highway Patrol; Caltrans, District 10; State Water Resources Control Board, Division of Drinking Water; Regional Water Quality Control Bd., Region 5 (Sacramento); Delta Protection Commission; Delta Stewardship Council; Native American Heritage

Commission; Public Utilities Commission; State Lands Commission

Date Received 03/01/2018 Start of Review 03/02/2018 End of Review 04/02/2018

Note: Blanks in data fields result from insufficient information provided by lead access



4-2-18 E



Central Valley Regional Water Quality Control Board

26 March 2018

MAR 80 2013 STATE CLEARING HOUSE

Adam Paszkowski City of Manteca 1001 West Center Street Manteca, CA 95337

CERTIFIED MAIL 91 7199 9991 7035 8419 1576

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, NORTH MAIN COMMONS SUBDIVISION PROJECT, SCH# 2018032003, SAN JOAQUIN COUNTY

Pursuant to the State Clearinghouse's 2 March 2018 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the Request for Review for the Mitigated Negative Declaration for the North Main Commons Subdivision Project, located in San Joaquin County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.38, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases,

MARL E. LONGLEY SCD. P.E., CHAIR | PAMELA C. CREEDON P.E. BOEE, EXCUSIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95570 | www.waterboards.ca.gov/centralvalled

C HEDTCLED PAPER

Date: May 21, 2018

North Main Commons Subdivision Project - 2 - San Joaquin County

26 March 2018

the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the Water Quality Control Plan for the Sacramento and San Joaquin River Basins, please visit our website: http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/.

Antidegradation Considerations

1.3

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at: http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan

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(SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits1

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/,

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.sht ml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water

Municipal Permits = The Phase i Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

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26 March 2018

drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit - Water Quality Certification

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Waste Discharge Requirements - Discharges to Waters of the State

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver)

R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

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http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

- Obtain Coverage Under a Coalition Group. Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/for_growers/apply_coalition_group/index.shtml or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
- 2. Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100. Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for Dewatering and Other Low Threat Discharges to Surface Waters (Low Threat General Order) or the General Order for Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

Date: May 21, 2018

North Main Commons Subdivision Project - 6 - San Joaquin County

26 March 2018

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit.

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml

If you have questions regarding these comments, please contact me at (916) 464-4644 or Stephanie. Tadlock@waterboards.ca.gov.

Stephanie Tadlock

Environmental Scientist

tephani-Jadlock

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento

Response to Letter J: State of California Governor's Office of Planning and Research

Response J-1: This commentor (OPR) provides a comment letter from the Central Valley Regional Water Quality Control Board.

This comment letter from the RWQCB is included in this Response to Comments as Letter G. All comments included in Letter G have a response. Therefore, no further response is necessary.

Date: May 21, 2018



S J C O G, Inc.

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

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

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

To: Addam Paszkowski, City of Manteca, Community Development

From: Laurel Boyd, SJCOG, Inc.

Date: March 9, 2018

-Local Jurisdiction Project Title: NOI to Adopt a Mitigated Neg. Dec. for the North Main Commons Subdivision Project

Assessor Parcel Number(s): 218-100-01, -02
Local Jurisdiction Project Number: N/A

Total Acres to be converted from Open Space Use: Approximately 30.17 acres

Habitat Types to be Disturbed: Agricultural (C34) Habitat Land (City of Manteca Compensation Map)

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

Dear Mr.s Paszkowski:

SJCOG, Inc. has reviewed the Notice of Intent to Adopt a Mitigated Negative Declaration for the North Main Commons Subdivision Project. This project consists of a General Plan Amendment, Rezone, and a Tentative Subdivision Map that would facilitate the development of up to 158 single family residential lots (with one unit per lot), one park/basin lot, and a surveyed designated remainder lot, on a total of approximately 30.17 acres. The residential portion of the project site is located on approximately 21.52 acres, and the park/basin lot would be located on approximately 2.2 acres. The Surveyed Designated Remainder would be located on approximately 5.49 acres. Aksland Drive, which currently terminates along a portion of the eastern border of the project site, would be extended east to west through the northern half of the project site, and would connect with the intersection of Northgate Drive and North Main Street. This extension of aksland Drive within the project site would separate the proposed project residential and park/basin uses from the surveyed designated remainder lot, and would also allow access to the project site (from the North Gate Drive/North Main Street intersection and from the existing Aksland Drive). The project site is located southwest of State Route 99 and east of North Main Street (APN/Address: 218-100-01, -02; 1530 & 1390 N. Main Street, Manteca).

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

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

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

- Schedule a SJMSCP Biologist to perform a pre-construction survey prior to any ground disturbance
- SJMSCP Incidental take Minimization Measures and mitigation requirement:
 - Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any
 ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant
 must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This
 is the effective date of the ITMMs.
 - Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
 - 3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:

K-2

K-3

Date: May 21, 2018

2|SJCOG, Inc.

- a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
- b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
- c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
- d. Purchase approved mitigation bank credits.
- Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
 - a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
 - b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
 - c. Purchase approved mitigation bank credits.

Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

K-3 (cont.)

Receive your Certificate of Payment and release the required permit

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

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

May 21, 2018

3|SJCOG, Inc.



S J C O G, Inc.

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

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

SJMSCP HOLD

TO:

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

FROM:

Laurel Boyd, SJCOG, Inc.

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

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

- SJMSCP Incidental Take Minimization Measures and mitigation requirement:
 - 1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date
 - 2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
 - 3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:
 - a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
 - b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
 - c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
 - d. Purchase approved mitigation bank credits.
 - Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
 - a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
 - b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
 - c. Purchase approved mitigation bank credits.

Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

Project Title: NOI to Adopt a Mitigated Neg. Dec. for the North Main Commons Subdivision Project

Assessor Parcel #s: 218-100-01, -02 , R , Section(s):

Local Jurisdiction Contact: Adam Paszkowski

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



Date: May 21, 2018

Response to Letter K: San Joaquin Council of Governments

Response K-1: This commentor provides an introductory statement. The comment states

that SJCOG has reviewed the IS/MND and restates details of the proposed

project.

This comment is noted, no response is warranted.

Response K-2: This commentor describes that the City of Manteca is a signatory to the San

Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). The commentor also provides details regarding requirements for

compliance with the SJMSCP.

This comment is noted, no response is warranted.

Response K-3: This commentor states that the project is subject to the SJMSCP. The

commentor also states that the project should applicant contact the SJMSCP as early in the process as possible, and provide the requisite steps to satisfy SJMSCP requirements. The commentor also notes that if the project has any

potential impacts to waters of the United States, it would require the project

to seek voluntary coverage through the umapped process under the SJMSCP.

This comment is noted. Mitigation Measure BIO-1 provided on page 27 of the IS/MND requires the project applicant to submit an application to SJCOG to request coverage of the project site under the SJMSCP, which is the HCP/NCCP administered by SJCOG. Coverage of a project under the SJMSCP is intended to reduce impacts to biological resources, including Swainson's hawk, resulting from a project. Once the project site has successfully received coverage under the SJMSCP, the applicant is required to incorporate all Incidental Take Minimization Measures identified by SJCOG into the project design. SJCOG will use the mitigation fee to purchase habitat for Swainson's hawk to be protected in perpetuity. In addition, Mitigation Measure BIO-2 requires preconstruction surveys for Swainson's hawk if construction activities are to take place during nesting season, and Mitigation Measure BIO-3 establishes non-disturbance or monitoring buffers if nests are found.

No further response is necessary.



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APPENDIX B - ADDITIONAL RESPONSE TO COMMENTS

A Land Use Planning, Design, and Environmental Firm

Second Responses to Comments and for the North Main Commons Subdivision Project

Introduction and List of Commenters

The Initial Study/Mitigated Negative Declaration (IS/MND) for the North Main Commons Subdivision Project was available for the statutory 30-day public review from March 2, 2018 to April 2, 2018. No new significant environmental impacts or issues, beyond those already covered in the IS/MND for the North Main Commons Subdivision Project, were raised during the comment period.

The following table lists the comments on the IS/MND that were submitted to the City of Manteca during the 30-day public review period for the IS/MND. The assigned comment letter, letter date, letter author, and affiliation, if presented in the comment letter or if representing a public agency, are also listed. Letters received are coded with letters (A, B, C, etc.).

LIST OF COMMENTERS ON IS/MND

RESPONSE LETTER/ NUMBER	INDIVIDUAL OR SIGNATORY	AFFILIATION	DATE
A	Linda Weber	Resident	3-9-2018
В	Craig & Cindy Killough	Resident	3-11-2018
С	Teresa Mannen	Resident	3-15-2018
D	Benjamin Cantu	BC Planning Land Use Planning & Design	3-21-2018
Е	Benjamin Cantu	BC Planning Land Use Planning & Design	3-21-2018
F	Erika E. Durrer	Manteca Unified School District	3-22-2018
G	Stephanie Tadlock	Central Valley Regional Water Quality Control Board	3-26-2018
Н	Residents	Residents Petition	4-2-2018
I	Travis Yokoyama	San Joaquin Council of Governments	4-2-2018
J	Scott Morgan	State of California Governor's Office of Planning and Research	4-3-2018
К	Laurel Boyd	San Joaquin Council of Governments	4-9-2018
L	Jacqui Breitenbucher	Manteca Unified School District	8-1-2018

Responses to Comment Letters

Written comments on the IS/MND were addressed in the original Responses to Comments and Errata for the North Main Commons Subdivision Project (dated May 21, 2018). However, an additional letter addressing the IS/MND was received on August 1, 2018, outside of the comment window. Responses to this comment letter are provided herein. The letter was received from Jacqui Breitenbucher, Chief Business Officer of the Manteca Unified School District (MUSD).

To assist in referencing comments and responses, the following coding system is used.

- Those comments received are represented by a lettered response.
- Each letter is lettered (i.e., Letter A) and each comment within each letter is numbered (i.e., comment A-1, comment A-2).



Manteca Unified School District Office of the Chief Business Officer

Jacqui Breitenbucher, CBO jbreitenbucher@musd.net | (209)858-0728

August 1, 2018

Board of Trustees Stephen J. Schluer President

> Bob Wallace Viol President

Evelya Moore Baard Clark

Eric Duncan Truste Arta I

Kathy Howe Trustin Area 2 Michael Seelye

Truster Arva 4

Trustee Area 3 Nancy Teicheira

District Leadership

Clark Burke, Ed. D.
Superintendent
Roger Goatcher
Deputy Supermindent

Jacqui Breitenbucher
Chref Busmess Officer

VIA E-MAIL AND U.S. MAIL

Ms. Toinette Rossi Mr. Tony Marshall
P.O. Box 8837 322 Sun West Place
Ripon, CA 95366 Manteca, CA 95337

RE: Response to Comments on the Draft Mitigated Negative Declaration for the North Main Commons Subdivision Project

Dear Ms. Rossi and Mr. Marshall:

The Manteca Unified School District ("District") reviewed the City of Manteca's ("City") responses to comments for the North Main Commons Subdivision Project's ("Project") draft Mitigated Negative Declaration ("MND"). The responses to the District's comment letter are woefully inadequate and legally untenable.

A-1

A-2

Hiding behind the veil of developer fee statutes and a single case, the responses completely ignore the separate and distinct requirements of the City's General Plan 2023 Policies and the adopted mitigation measures. Policy PF-P-33 requires, "Adequate facilities shall be planned to accommodate new residential development ad endeavor to create neighborhood schools." (General Plan 2023, p. 6-15.) Policy PF-P-35 requires, "Financing of new school facilities will be planned concurrent with new development." (*Ibid.*) Failure to satisfy these policies makes the Project inconsistent with General Plan 2023.

Further, the General Plan 2023 Environmental Impact Report ("EIR") found a potentially significant environmental impact in that the general plan's implementation would require additional schools and cause a significant environmental impact:

"Proposed growth in the General Plan 2023 will require new K-8 and high schools." (Manteca General Plan 2023, Draft EIR, p. 14-19.)

"POTENTIAL IMPACT PFS-6: Implementation of the General Plan 2023 would require additional facilities and LOS for police protection, fire protection, schools, and parks.

Level of Significance: Potentially Significant" (Id. at p. 1-57.)

The EIR then set forth those mitigation measures needed to reduce the impact to less than significant. A number of these mitigation measures, taken together, clearly require adequate school funding, regardless of developer fees:

"Making a difference to each and every student daily,"

P.O. Box 32 Manteca, CA 95336 2271 West Louise Avenue, Manteca, CA 95337 Phone (209) 858-0729 Fax (209) 858-7570 www.mantecausd.net

Date: August 17, 2018

Ms. Rossi and Mr. Marshall August 1, 2018 Page Two

Goal PF-13: "Provide for the educational needs of the Manteca residents."

PF-P-33: "Adequate facilities shall be planned to accommodate new residential development."

PF-P-35: Financing of new school facilities will be planned concurrent with new development."

(Draft EIR, pp. 1-58, 14-21.)

With the implementation of these mitigation measures, it was concluded that the capacity impact to schools would be reduced to less than significant. (*Id.* at p. 1-61.) In order to mitigate the significant capacity impact to schools, each mitigation measure must be employed. The City has no discretion to ignore these adopted mitigation measures. Accordingly, each and every developer must provide sufficient funding for school facilities, even if that amount exceeds collected developer fees.

A-2 (cont.)

Developer fees will not be enough. Since the District is unaware of the North Main Commons square feet metrics, it assumes an average square foot of a Project residential unit to be 2,245 square feet. Given that 158 units are planned, under the current Level 1 Developer Fees rate of \$3.48, the District would collect approximately \$1,234,390.80 from the Project. However, from our fee justification study, the cost of accommodating the Project's students at existing school sites would be \$4,757,854 (\$34,041 per unit, less \$3,928 in new site cost, times 158 units). This leaves a significant shortfall of \$3,523,463.20. Without a Community Facilities District ("CFD") or some other funding source, the District cannot provide sufficient school facilities for the Project. Although the District has a certain amount of per pupil eligibility from the State, that funding is simply not accessible due to the political wranglings of the State Allocation Board and the Governor. In order to provide for adequate school facilities, the Project make up the shortfall.

Please confirm that the Project will provide adequate school facility funding by entering into a mitigation agreement with the District to establish a CFD or some other mechanism to provide that funding. If the Project gets approved without developer's commitment to provide the necessary school facility funding, the District will seek to enforce the General Plan 2023 mitigation measures and pursue its full legal remedies.

A-3

We look forward to your prompt reply.

greater buches

Sincerely,

Jacqui Breitenbucher Chief Business Officer

cc: Victoria Brunn, Director of Community Outreach, PIO

Aaron Bowers, Director II - Facilities/Operations

Stan M. Barankiewicz II, Orbach Huff Suarez & Henderson LLP

Date: August 17, 2018

Response to Letter A: Manteca Unified School District (MUSD)

Response A-1:

This commentor provides an introductory statement. The commentor states the MUSD has reviewed the City's prior response to the MUSD's comments and that "The responses to the District's comment letter are woefully inadequate and legally untenable."

This comment itself is an introduction to the letter. This comment itself does not provide any specific evidence or suggestions. Absent any level of specificity in this introductory comment, this response does not require any additional analysis, mitigation measures, revisions, or recirculation.

Response A-2:

This commentor describes that the responses to the original letter from the Manteca Unified School District do not take into account the separate and distinct requirements of the City's General Plan 2023 Policies and adopted mitigation measures. The commentor provides General Plan Policy PF-P-33: "Adequate facilities shall be planned to accommodate new residential development and endeavor to create neighborhood schools. (General Plan 2023, p. 6-15)" and General Plan Policy PF-P-35: "Financing of new school facilities will be planned concurrent with new development. (Ibid.)" The commentor states that failure to satisfy these policies would make the project inconsistent with the General Plan.

The commentor then states that the General Plan 2023 Environmental Impact Report (EIR) found a potentially significant environmental impact in that the General Plan's implementation would require additional schools and cause a significant environmental impact, based on the following, as provided within the General Plan 2023 EIR:

"Proposed growth in the General Plan 2023 will require new K-8 and high schools." (Manteca General Plan 2023, Draft EIR, p. 14-19).

POTENTIAL IMPACT PFS-6: Implementation of the General Plan 2023 would require additional facilities and LOS for police protection, fire protection, schools, and parks.

Level of Significance: Potentially Significant" (Id. At p. 1-57)."

The commentor describes that the General Plan EIR provided mitigation measures needed to reduce the impact to schools to a less-than-significant level. The commentor states that a number of these mitigation measures, taken together, require adequate school funding, regardless of developer fees. The commentor states that these measures include the following General Plan goal and policies:

"Goal PF-13: Provide for the educational needs of the Manteca residents."

Date: August 17, 2018

PF-P-33: Adequate facilities shall be planned to accommodate new

residential development."

PF-P-35: Financing of new school facilities will be planned concurrent

with new development." (Draft EIR, pp. 1-58, 14-21)."

The commentor states that, with implementation of these mitigation measures, it was concluded that impacts to schools would be reduced to a less-than-significant level. Additionally, the commentor states the following:

"The City has no discretion to ignore these adopted mitigation measures. Accordingly, each and every developer must provide sufficient funding for school facilities, even if that amount exceeds collected developer fees."

Additionally, commentor states:

"Developer fees will not be enough. Since the District is unaware of the North Main Commons square feet metrics, it assumes an average square foot of a Project residential unit to be 2,245 square feet. Given that 158 units are planned, under the current Level 1 Developer Fees rate of \$3.48, the District would collect approximately \$1,234,390.80 from the Project. However, from our fee justification study, the cost of accommodating the Project's students at existing school sites would be \$4,757,854 (\$34,041 per unit, less \$3,928 in new site cost, times 158 units). This leaves a significant shortfall of \$3,523,463.20. Without a Community Facilities District ("CFO") or some other funding source, the District cannot provide sufficient school facilities for the Project. Although the District has a certain amount of per pupil eligibility from the State, that funding is simply not accessible due to the political wranglings of the State Allocation Board and the Governor. In order to provide for adequate school facilities, the Project make up the shortfall."

Impacts associated with schools are analyzed in impact a, iii) on page 57 of the recirculated IS/MND. The proposed project is expected to generate approximately 101 new students (grades K-6: 52 students; grades 7-8: 16 students; grades 9-12: 33 students), based on the student generation rates provided by the MUSD in the School Mitigation Fee Justification Study Final Draft Report (March 2017) for single family detached housing. It is the City's policy to require all development projects to adhere to the State's laws regarding the payment of school impact fees that are established by the MUSD through their nexus study/fee justification efforts. The City will fully cooperate with the MUSD, as they have in the past, in the collection of the school impact fees that have been established by MUSD. This is consistent with the General Plan. The Education Code (EC) 17620 grants the District the authority to impose school impact fees, and the MUSD had established impact fees as of March 2017. In Chawanakee Unified School Dist. v. County of Madera (June 21, 2011) 196 Cal. App. 4th 1016, the court determined that Government Code section 65996(a) obviated the need to analyze and mitigate a

Date: August 17, 2018

development's direct impacts on existing school facilities in an EIR because Education Code sets forth "exclusive methods" for consideration and mitigation of such impacts. The MUSD's School Mitigation Fee Justification Study (March 2017) established the appropriate fee for all development in the City of Manteca. This fee established by the District is the fair share funding that the City will require of this development. By statute, the City and District cannot require fees beyond that allowed by the state law, and affirmed by the District through the recently approved nexus study. A suggestion to mandate fees beyond the maximum allowed by law within the CEQA document would require the City to violate state law. The City will continue to operate within the state law, and does not intend to mandate additional fees as mitigation. This response does not require any additional analysis, mitigation measures, revisions, or recirculation.

Response A-3:

The commentor provides a concluding statement, requesting confirmation that the Project will provide adequate school facility funding by entering into a mitigation agreement with the District to either establish a Community Facilities District (CFD), and/or provide the requested funding through some other mechanism. The commentor then states that, if the Project were to get approved without developer's commitment to provide the school facility funding as requested, the MUSD will seek to enforce the General Plan 2023 mitigation measures and pursue legal action.

This comment itself it a conclusion statement. As stated above, Impacts associated with schools are analyzed in impact a, iii) on page 57 of the recirculated IS/MND. It is the City's policy to require all development projects to adhere to the State's laws regarding the payment of school impact fees that are established by the MUSD through their nexus study/fee justification efforts. The City will fully cooperate with the MUSD, as they have in the past, in the collection of the school impact fees that have been established by MUSD. However, the MUSD's School Justification Fee Justification Study (March 2017) established the appropriate fee for all development in the City of Manteca. This fee established by the District is the fair share funding that the City will require of this development. By statute, the City and District cannot require fees beyond that allowed by the state law, and affirmed by the District through the recently approved nexus study. A suggestion to mandate fees beyond the maximum allowed by law within the IS/MND would require the City to violate state law. The City will continue to operate within the state law, and does not intend to mandate additional fees as mitigation. In addition, considering all other comments provided by commentor and the responses and clarifications provided herein, there is no warrant for any additional analysis, mitigation measures, revisions, or recirculation.

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APPENDIX C - ACOUSTICAL ANALYSIS

ACOUSTICAL ANALYSIS

NORTH MAIN COMMONS MANTECA, CALIFORNIA

WJVA Project No. 18-022

PREPARED FOR

MCR ENGINEERING 1242 DUPONT COURT MANTECA, CA 95336

PREPARED BY

WJV ACOUSTICS, INC. VISALIA, CALIFORNIA



OCTOBER 15, 2018

INTRODUCTION

The project is a proposed 154-lot single-family residential development to be located in Manteca, California. The project site is located east of North Main Street, south of Northgate Avenue and west of State Route 99 (SR 99). The City of Manteca has requested an acoustical analysis to quantify project site noise exposure and determine noise mitigation requirements. This analysis, prepared by WJV Acoustics, Inc. (WJVA), is based upon a project site plan provided by the project engineer, MCR Engineering (February 2018), traffic data provided by Fehr and Peers, San Joaquin Council of Governments (SJCOG) and Caltrans and the findings of on-site noise level measurements. Revisions to the site plan may affect the findings and recommendations of this report. The site plan is provided as Figure 1.

Appendix A provides a description of the acoustical terminology used in this report. Unless otherwise stated, all sound levels reported are in A-weighted decibels (dB). A-weighting de-emphasizes the very low and very high frequencies of sound in a manner similar to the human ear. Most community noise standards utilize A-weighting, as it provides a high degree of correlation with human annoyance and health effects. Appendix B provides typical A-weighted sound levels for common noise sources.

NOISE EXPOSURE CRITERIA

The City of Manteca Noise Element of the General Plan (adopted 10/06/03) sets noise compatibility standards for transportation noise sources in terms of the Day-Night Average Level (L_{dn}). Implementation Policy N-I-1 of the Noise Element establishes a land use compatibility criterion as 60 dB L_{dn} for exterior noise exposure within outdoor activity areas of residential land uses. Outdoor activity areas generally include backyards and backyard patios or decks of single-family residences, individual patios or decks of multi-family developments and common outdoor recreation areas of multi-family developments. The Noise Element also states "In areas where it is not possible to reduce exterior noise levels to 60 dB L_{dn} or below using a practical application of the best noise-reduction technology, an exterior noise level of up to 65 dB L_{dn} will be allowed." The intent of the exterior noise level requirement is to provide an acceptable noise environment for outdoor activities and recreation.

Additionally, the noise element requires that interior noise levels attributable to exterior transportation noise sources not exceed 45 dB L_{dn} . The intent of the interior noise level standard is to provide an acceptable noise environment for indoor communication and sleep.

PROJECT SITE NOISE EXPOSURE

The project site is located east of North Main Street, south of Northgate Avenue and west of State Route 99 (SR 99). The project site is currently exposed traffic noise from vehicles associated with North Main Street and SR 99. The distance from center of the backyards of the closest proposed lots to the centerline of Main Street is approximately ninety (90) feet and the distance from the center of the backyards of the closest proposed lots to the centerline of SR 99 is approximately 350 feet.

Existing Ambient Noise Levels:

Existing project site ambient noise levels are dominated by traffic on SR 99 along the eastern portion of the project site and by traffic on North Main Street along the western portion of the project site. WJVA conducted long-term (24-hour) noise level measurements at two locations within the project site on September 11, 2018. One noise monitoring site (LT1) was located near the northeast portion of the project site, and documented noise levels associated with traffic on SR 99. The second noise monitoring site (LT2) was located near the southwest portion of the project site, and documented noise levels associated with traffic on North Main Street, and other nearby commercial and retail activities. LT1 was located approximately 210 feet from the centerline of SR 99 and LT2 was located approximately 80 feet from the centerline of North Main Street.

Noise monitoring equipment consisted of Larson-Davis Laboratories Model LDL-820 sound level analyzers equipped with B&K Type 4176 1/2" microphones. The equipment complies with the specifications of the American National Standards Institute (ANSI) for Type I (Precision) sound level meters. The meters were calibrated in the field prior to use with a B&K Type 4230 acoustic calibrator to ensure the accuracy of the measurements. The microphones were located on tripods at 5 feet above the ground. The project site presently consists of a tilled undeveloped soil. The locations of monitoring sites LT1 and LT2 are provided on Figure 2. Photos of the noise measurement equipment at sites LT1 and LT2 are provided as Figure 3 and Figure 4, respectively.

Both sites were selected because they provided a location where the noise monitoring equipment could be securely locked during the measurement period. It should be noted, there were existing construction activities along North Main Street in the vicinity of the project (and LT2) which caused traffic on North Main Street to be closer to site LT2 than would be under normal conditions. Additionally, noise levels associated with the construction activities likely resulted in elevated noise levels at site LT2. Table I provides the results of the noise level measurements at 24-hour monitoring sites LT1 and LT2.

The measured 24-hour noise exposure at site LT1 was 69.3 dB L_{dn} and the measured 24-hour noise exposure at site LT2 was 67.4 dB L_{dn}. Applying the standard rate of attenuation with increased distance from a moving point source (+4.5 dB/doubling of distance), WJVA calculated

what the measured noise levels would be at the closest proposed residential lots to SR 99 (350 feet) and North Main Street (90 feet), and determined that traffic noise exposure would be 66.0 dB L_{dn} at a distance of 350 feet from the centerline of SR 99 (based upon noise levels measured at LT1) and 66.6 dB L_{dn} at a distance of 90 feet from the centerline of North Main Street (based upon noise levels measured at LT2). As noted above, these measured noise levels consider noise from all sources in the vicinity of the measurement sites, and site LT2 was exposed to nearby construction activities as well as noise from vehicles entering and exiting the North Main Storage facility. Due to the location of site LT1, it is unlikely that any other noise sources contributed to the noise exposure at LT1, other than traffic on SR 99.

TABLE I
SUMMARY OF PROJECT-SITE NOISE LEVEL MEASUREMENTS
NORTH MAIN COMMONS
SEPTEMBER 11, 2018

Time	A-Weighted Decibels, dB, L _{eq} (one-hour average)		
Time	LT1	LT2	
12:00 a.m.	62.0	55.8	
1:00 a.m.	60.3	55.2	
2:00 a.m.	60.2	54.4	
3:00 a.m.	61.1	55.7	
4:00 a.m.	62.6	59.3	
5:00 a.m.	64.8	62.5	
6:00 a.m.	66.0	64.2	
7:00 a.m.	65.7	66.1	
8:00 a.m.	64.9	64.9	
9:00 a.m.	63.6	63.9	
10:00 a.m.	65.1	63.2	
11:00 a.m.	64.8	63.5	
12:00 p.m.	65.2	63.3	
1:00 p.m.	64.2	63.1	
2:00 p.m.	64.3	63.2	
3:00 p.m.	63.4	64.9	
4:00 p.m.	62.4	65.6	
5:00 p.m.	62.5	66.0	
6:00 p.m.	63.3	64.9	
7:00 p.m.	63.3	63.4	
8:00 p.m.	63.0	63.7	
9:00 p.m.	63.1	62.8	
10:00 p.m.	62.0	60.5	
11:00 p.m.	61.3	61.6	
24-Hour L _{dn} , dB	69.3	67.4	

Source: WJV Acoustics, Inc.

Traffic Noise Exposure:

Traffic noise exposure from traffic on North Main Street and SR 99 was calculated for existing and future (2035) conditions using the FHWA Traffic Noise Model and traffic data obtained from Fehr and Peers, SJCOG and Caltrans.

WJVA utilized the Federal Highway Administration (FHWA) Highway Traffic Noise Prediction Model (FHWA-RD-77-108). The FHWA Model is a standard analytical method used for roadway traffic noise calculations. The model is based upon reference energy emission levels for automobiles, medium trucks (2 axles) and heavy trucks (3 or more axles), with consideration given to vehicle volume, speed, roadway configuration, distance to the receiver, and the acoustical characteristics of the site. The FHWA Model was developed to predict hourly $L_{\rm eq}$ values for free-flowing traffic conditions, and is generally considered to be accurate within ± 1.5 dB. To predict CNEL values, it is necessary to determine the hourly distribution of traffic for a typical day and adjust the traffic volume input data to yield an equivalent hourly traffic volume.

Noise level measurements and concurrent traffic counts were conducted by WJVA staff within the project site on July 20, 2018 at two (2) locations, one measuring noise on North Main Street (Site 1) and a second measuring noise on SR 99 (site 2). The purpose of the measurements was to evaluate the accuracy of the FHWA Model in describing traffic noise exposure within the project site. Measurement Site 1 was located within the project site at a distance of approximately 90 feet from the centerline of Main Street. Measurement Site 2 was located within the project site at a distance of approximately 350 feet from the centerline of SR 99. The posted speed limit on Main Street was 40 mph (miles per hour) and the posted speed limit on SR 99 was 65 mph. The project vicinity and noise monitoring site locations are provided as Figure 2.

Noise monitoring equipment consisted of Larson-Davis Laboratories Model LDL-820 sound level analyzer equipped with a B&K Type 4176 1/2" microphone. The equipment complies with the specifications of the American National Standards Institute (ANSI) for Type I (Precision) sound level meters. The meter was calibrated in the field prior to use with a B&K Type 4230 acoustic calibrator to ensure the accuracy of the measurements. The microphone was located on a tripod at 5 feet above the ground. The project site presently consists of a tilled undeveloped soil.

Noise measurements were conducted in terms of the equivalent energy sound level (L_{eq}). Measured L_{eq} values were compared to L_{eq} values calculated (predicted) by the FHWA Model using as inputs the traffic volumes, truck mix and vehicle speed observed during the noise measurements. The results of that comparison are shown in Table II.

From Table II it may be determined that the traffic noise level predicted by the FHWA Model were 0.6 dB higher than those measured for the traffic conditions observed at the time of the noise measurements along Main Street and 0.9 dB lower along SR 99. Additionally, WJVA compared FHWA modeled noise levels at the location of 24-hour noise measurements site LT1 to noise levels measured during the 24-hour measurement period. The modeled noise levels at

site LT1 was 71.4 dB L_{dn}, while the measured noise level was 69.3 dB L_{dn}. The model overpredicted SR 99 noise levels by 2.1 dB during the 24-hour measurement period. Therefore, an offset of 2 dB will be applied to modeled noise levels for future SR 99 traffic noise exposure levels.

TABLE II

COMPARISON OF MEASURED AND PREDICTED (FHWA MODEL) NOISE LEVELS NORTH MAIN COMMONS, MANTECA, CALIFORNIA

	@90' Main Street	@325' SR 99	
Measurement Date	July 20, 2018		
Measurement Start Time	11:45 a.m.	12:10 p.m.	
Observed # Autos/Hr.	448	1536	
Observed # Medium Trucks/Hr.	24	108	
Observed # Heavy Trucks/Hr.	24	252	
Posted Speed (MPH)	40	70	
Distance, ft. (from center of roadway)	90	325	
L _{eq} , dBA (Measured)	62.3	64.6	
L _{eq} , dBA (Predicted)	61.7	65.5	
Difference between Measured and Predicted Leq, dBA	+0.6	-0.9	

Note: FHWA "soft" site assumed for calculations.

Source: WJV Acoustics, Inc.

Annual Average Daily Traffic (AADT) data for North Main Street in the project vicinity was obtained from Fehr & Peers Transportation Consultants and San Joaquin Council of Governments (SJCOG). Truck percentages and the day/night distribution of traffic were estimated by WJVA, based upon previous studies conducted along similar roadways since project-specific data were not available from government sources. AADT data and truck percentages for SR 99 was obtained from Caltrans. Table III summarizes annual average traffic data used to model noise exposure within the project site.

TABLE III

TRAFFIC NOISE MODELING ASSUMPTIONS NORTH MAIN COMMONS, MANTECA, CALIFORNIA

	Main Street		State Route 99	
	Existing	2035	Existing	2035
Annual Avenue Daily Traffic (AADT)	11,200	19,000	70,000	112,000
Day/Night Split (%)	90/10		85/15	
Assumed Vehicle Speed (mph)	40		65	
% Medium Trucks (% AADT)	2		6.4	
% Heavy Trucks (% AADT)	1		8.5	

Sources: San Joaguin COG Fehr & Peers Caltrans WJV Acoustics, Inc.

Using data from Table III, the FHWA Model, annual average traffic noise exposure was calculated for the closest proposed backyards from North Main Street (approximately 90 feet) and SR 99 (approximately 350 feet). The calculated exterior noise exposures for existing and future (2035) traffic conditions for the closest proposed setbacks to North Main Street were 61.7 dB L_{dn} and 64.0 dB L_{dn} , respectively. The calculated exterior noise exposures for existing and future (2035) traffic conditions for the closest proposed setbacks to SR 99 were 66.1 dB L_{dn} and 68.1 dB L_{dn} , respectively. Such levels are above the applicable City of Manteca exterior noise level standard of 60 dB L_{dn} (65 L_{dn} conditionally), and further mitigation is therefore required.

NOISE MITIGATION

Exterior Noise Mitigation:

The City of Manteca Noise Element of the General Plan establishes a 60 dB L_{dn} criterion within outdoor activity areas (backyards) of single-family homes. The Noise Element also states that "In areas where it is not possible to reduce exterior noise levels to 60 dB L_{dn} or below using a practical application of the best noise-reduction technology, an exterior noise level of up to 65 dB L_{dn} will be allowed." The project site traffic noise exposure for future (2035) traffic conditions was calculated to be approximately 64 dB L_{dn} at the closest proposed residential setbacks to North Main Street and 68 dB L_{dn} at the closest proposed residential setbacks to SR 99. Such levels exceed the City of Manteca exterior noise level standards, and additional mitigation is required.

To mitigate exterior traffic noise exposure along North Main Street and SR 99 it will be necessary to construct sound walls along the roadway frontages. The sound walls will provide acoustical shielding of backyards located closest to the roadways.

A sound wall insertion loss program based on the FHWA Model was used to calculate the insertion loss (noise reduction) provided by the proposed sound walls. The model calculates the insertion loss of a wall of given height based on the effective height of the noise source, height of the receiver, distance from the receiver to the wall, and distance from the noise source to the wall. The standard assumptions used in the sound wall calculations are effective source heights of 8, 2 and 0 feet above the roadway for heavy trucks, medium trucks and automobiles, respectively. The standard height of a residential receiver is five feet above the ground elevation. It was assumed by WJVA that the building pad elevations at the closest proposed homes to North Main Street will be approximately the same elevation as the roadway pavement and the building pad elevations at the closest proposed homes to SR 99 will be approximately 4-6 below grade of the roadway pavement.

Lot 154:

• The project site plan proposes Lot 154, to be located immediately adjacent to SR 99, where an existing 11-foot sound wall is located between the proposed residential backyard and the roadway. WJVA used the above-described sound wall model to calculate future noise exposure levels within the proposed backyard, considering shielding provided by the existing wall. Based upon future traffic volumes and using the FHWA Traffic noise model in conjunction with the sound wall model, WJVA calculated future traffic noise exposure within the backyard of proposed lot 154 to be approximately 66 dB L_{dn}. Such levels exceed the City's exterior noise level standard. Additionally, calculations indicate that a sound wall of 13 feet would be required at lot 154 to reduce noise levels associated with SR 99 traffic to below 65 dB L_{dn}. It would not be feasible to construct a sound wall to mitigate lot 154 noise exposure to below 60 dB L_{dn}.

North Main Street Frontage:

 Based upon the above-described assumptions and method of analysis, the noise level insertion loss values for sound walls of various heights were calculated. The calculations indicated that a sound wall along North Main Street project site frontage constructed to a height of six (6) feet above project site grade would result in exterior noise levels of approximately 59 dB L_{dn} within the closest proposed backyards to North Main Street. The location of the sound wall is indicated on Figure 1.

Northern Lots:

- In regards to closest proposed lots to SR 99 (excluding Lot 154), WJVA analyzed potential
 noise reduction of two individual placement locations of sound walls. One analysis
 assumed the sound wall would be located along the SR 99 roadway frontage and a second
 analysis assumed the sound wall would be located along the northern lot line property
 lines of the northern lots, in the vicinity of the closest proposed lots to SR 99 (northern
 lots).
- Using the above-described sound wall insertion lost program and the above-described assumptions, it was determined that a sound wall constructed along the SR 99 roadway frontage constructed to a height of eleven (11) feet would be required to reduce exterior noise exposure to below 60 dB L_{dn} at the closest lots or a wall constructed to a height of six (6) feet to reduce exterior noise exposure to below 65 dB L_{dn}. The wall should connect to the existing sound wall near Lot 154 and extend northwest along SR 99 frontage for a distance of 750 feet. A portion of this sound wall location is indicated on Figure 1.
- Alternatively, a sound wall could be constructed along the northern lot line property lines. For this alternative, a sound wall constructed to a height of 9-feet would be required at lot 139 to reduce exterior noise exposure to below 60 dB L_{dn}. In order to reduce exterior noise exposure to below 60 dB L_{dn} at the remaining northern lots, the required wall heights for the remaining lots closest to SR 99 would be as follows, Lot 138: 8 feet, Lot 108: 7.5 feet, Lot 107: 6.5 feet, Lot 65: 6 feet, Lots 21-27: 6 feet. These heights are indicated on Figure 1.

It should be noted, the above-described sound walls would provide noise attenuation at first-floor receiver locations only (backyards) and would not shield second floor receiver locations. Therefore, second-floor rear balconies and decks should not be constructed at the first row of proposed homes adjacent to North Main Street or the northern lots (22-28, 66, 108, 109, 139 and 140).

Interior Noise Exposure:

The City of Manteca interior noise level standard is 45 dB L_{dn} . With the above-described sound walls in place, the worst-case future noise exposure within the proposed residential development would be approximately 60 dB L_{dn} at first-floor receiver locations along North Main Street and the first-floor receiver locations along the northern lots. This assumes a 6-foot sound wall along North Main Street and one of the above-described sound wall options along the norther lots.

Exterior second-floor façade noise levels would not be shielded by the above-described sound walls. Therefore, exterior future conditions traffic noise exposure at second-floor receiver locations at the closest homes to North Main Street and SR 99 would be expected to be approximately 65-68 dB L_{dn} . This means that the proposed residential construction must be capable of providing a minimum (worst-case scenario) outdoor-to-indoor noise level reduction (NLR) of approximately 23 dB (68-45=23).

A specific analysis of interior noise levels was not performed. However, it may be assumed that residential construction methods complying with current building code requirements will reduce exterior noise levels by a minimum of 25 dB if windows and doors are closed. This will be sufficient for compliance with the City's 45 dB L_{dn} interior standard at the closest proposed homes along North Main Street and SR 99. Requiring that it be possible for windows and doors to remain closed for sound insulation means that air conditioning or mechanical ventilation will be required. A 25 dB outdoor-to-indoor noise level reduction resulting from standard construction is widely accepted and is based upon research conducted by the National Cooperative Highway Research Program.

CONCLUSIONS AND RECOMMENDATIONS

Exterior Noise Compliance:

The proposed single-family residential development will comply with applicable City of Manteca exterior noise level requirements provided the following mitigation measures are incorporated into final project design.

- The project should incorporate a sound wall constructed to a minimum height of 6-feet above project site elevation, along North Main Street.
- The project should incorporate a sound wall at one of the two analyzed locations (north property lines of northern lots *OR* along SR 99 project roadway frontage). In order to mitigate exterior noise levels to below 60 dB L_{dn} the sound wall must be constructed to the heights described above (and indicated on Figure 1) in the discussion of exterior noise mitigation.
- With the existing sound wall in place, exterior noise levels within the backyard of Lot 154 would be approximately 66 dB L_{dn}. A sound wall constructed to height of 13-feet above lot elevation would be required to reduce noise levels to below 65 dB L_{dn}. It is not feasible to construct a sound wall capable of reducing exterior noise levels within the backyard of Lot 154 to below 60 dB L_{dn}.
- If two-story construction is proposed for the first row of homes adjacent to North Main Street or the northernmost lots (21-27, 65, 107, 108, 138 and 139), second-story rear balconies should not be incorporated into project design.

Interior Noise Compliance:

The proposed single-family residential development will comply with applicable City of Manteca interior noise level requirements provided the following mitigation measures are incorporated into final project design.

 Mechanical ventilation or air conditioning must be provided for all homes so that windows and doors can remain closed for sound insulation purposes. The conclusions and recommendations of this acoustical analysis are based upon the best information known to WJV Acoustics Inc. (WJVA) at the time the analysis was prepared concerning the proposed site plan, project site elevation, traffic volumes and roadway configurations. Any significant changes in these factors will require a reevaluation of the findings of this report. Additionally, any significant future changes in motor vehicle technology, noise regulations or other factors beyond WJVA's control may result in long-term noise results different from those described by this analysis.

Respectfully submitted,

Walter J. Van Groningen

Walt Var

President

WJV:wjv

FIGURE 1: SITE PLAN

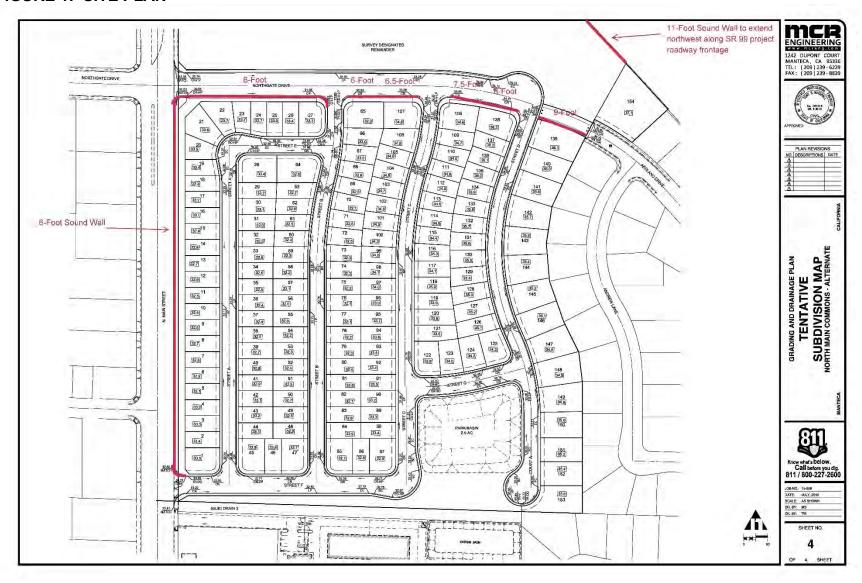


FIGURE 2: PROJECT SITE VICINITY AND NOISE MEASUREMENT LOCATION

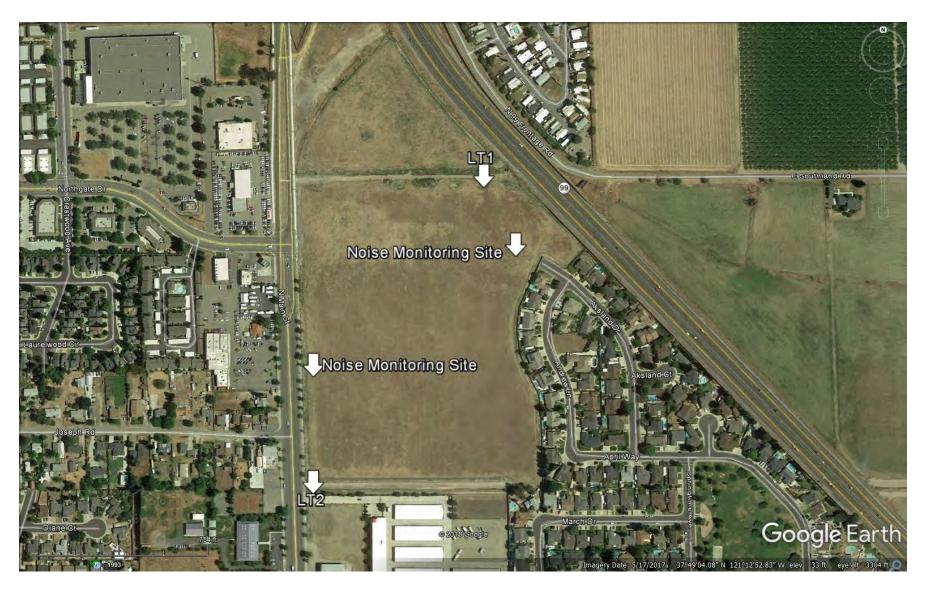


FIGURE 3: 24-HOUR NOISE MONITORING SITE LT1



FIGURE 4: 24-HOUR NOISE MONITORING SITE LT2



APPENDIX A

ACOUSTICAL TERMINOLOGY

AMBIENT NOISE LEVEL: The composite of noise from all sources near and far. In this context, the ambient noise level constitutes the normal or existing level of environmental noise at a given location. Community Noise Equivalent Level. The average equivalent CNEL: sound level during a 24-hour day, obtained after addition of approximately five decibels to sound levels in the evening from 7:00 p.m. to 10:00 p.m. and ten decibels to sound levels in the night before 7:00 a.m. and after 10:00 p.m. **DECIBEL, dB:** A unit for describing the amplitude of sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (20 micronewtons per square meter). DNL/L_{dn}: Day/Night Average Sound Level. The average equivalent sound level during a 24-hour day, obtained after addition of ten decibels to sound levels in the night after 10:00 p.m. and before 7:00 a.m. L_{eq}: EquivaClent Sound Level. The sound level containing the same total energy as a time varying signal over a given sample period. L_{eq} is typically computed over 1, 8 and 24-hour sample periods. NOTE: The CNEL and DNL represent daily levels of noise exposure averaged on an annual basis, while Leg represents the average noise exposure for a shorter time period, typically one hour. The maximum noise level recorded during a noise event. L_{max}: L_n: The sound level exceeded "n" percent of the time during a sample interval (L₉₀, L₅₀, L₁₀, etc.). For example, L₁₀ equals the level

exceeded 10 percent of the time.

A-2

ACOUSTICAL TERMINOLOGY

NOISE EXPOSURE CONTOURS:

Lines drawn about a noise source indicating constant levels of noise exposure. CNEL and DNL contours are frequently utilized to describe community exposure to noise.

NOISE LEVEL REDUCTION (NLR):

The noise reduction between indoor and outdoor environments or between two rooms that is the numerical difference, in decibels, of the average sound pressure levels in those areas or rooms. A measurement of "noise level reduction" combines the effect of the transmission loss performance of the structure plus the effect of acoustic absorption present in the receiving room.

SEL or SENEL:

Sound Exposure Level or Single Event Noise Exposure Level. The level of noise accumulated during a single noise event, such as an aircraft overflight, with reference to a duration of one second. More specifically, it is the time-integrated A-weighted squared sound pressure for a stated time interval or event, based on a reference pressure of 20 micropascals and a reference duration of one second.

SOUND LEVEL:

The sound pressure level in decibels as measured on a sound level meter using the A-weighting filter network. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound in a manner similar to the response of the human ear and gives good correlation with subjective reactions to noise.

SOUND TRANSMISSION CLASS (STC):

The single-number rating of sound transmission loss for a construction element (window, door, etc.) over a frequency range where speech intelligibility largely occurs.

APPENDIX B EXAMPLES OF SOUND LEVELS

SUBJECTIVE NOISE SOURCE SOUND LEVEL **DESCRIPTION** 120 dB AMPLIFIED ROCK 'N ROLL > **DEAFENING** JET TAKEOFF @ 200 FT ▶ 100 dB **VERY LOUD** BUSY URBAN STREET > 80 dB LOUD FREEWAY TRAFFIC @ 50 FT . CONVERSATION @ 6 FT ▶ 60 dB **MODERATE** TYPICAL OFFICE INTERIOR • 40 dB SOFT RADIO MUSIC > **FAINT** RESIDENTIAL INTERIOR > WHISPER @ 6 FT . 20 dB **VERY FAINT** HUMAN BREATHING . 0 dB

INITIAL STUDY

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