



**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***

<i>RESPONSE LETTER/NUMBER</i>	<i>INDIVIDUAL OR SIGNATORY</i>	<i>AFFILIATION</i>	<i>DATE</i>
A	Linda Weber	Resident	3-9-2018
B	Craig & Cindy Killough	Resident	3-11-2018
C	Teresa Mannen	Resident	3-15-2018
D	Benjamin Cantu	BC Planning Land Use Planning & Design	3-21-2018
E	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
H	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
K	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 underline for new text 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).

**Paszkowski, Adam**

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**From:** Linda Weber <spark1552003@msn.com>  
**Sent:** Friday, March 09, 2018 12:06 PM  
**To:** Paszkowski, Adam  
**Subject:** FW: Proposed North Main Commons

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**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.

A-1

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.

A-2

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?

A-3

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.

A-4

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?

A-5

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

Best regards,

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

Linda Weber [spark1552003@msn.com](mailto: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 than 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

of the project to one-story residences, however, the City cannot impose standards that are stricter than 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:

1. Extension of Askland 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 Askland 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.

**TABLE 1  
 PROJECT TRIP GENERATION**

Land Use	Quantity [1,000 sf]	ITE Land Use Code	Peak Hour Trip Rate <sup>1</sup>			Trips								
			AM	PM	Daily	AM Peak Hour			PM Peak Hour			Daily		
						In	Out	Total	In	Out	Total	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, 10<sup>th</sup> Edition - 2017)

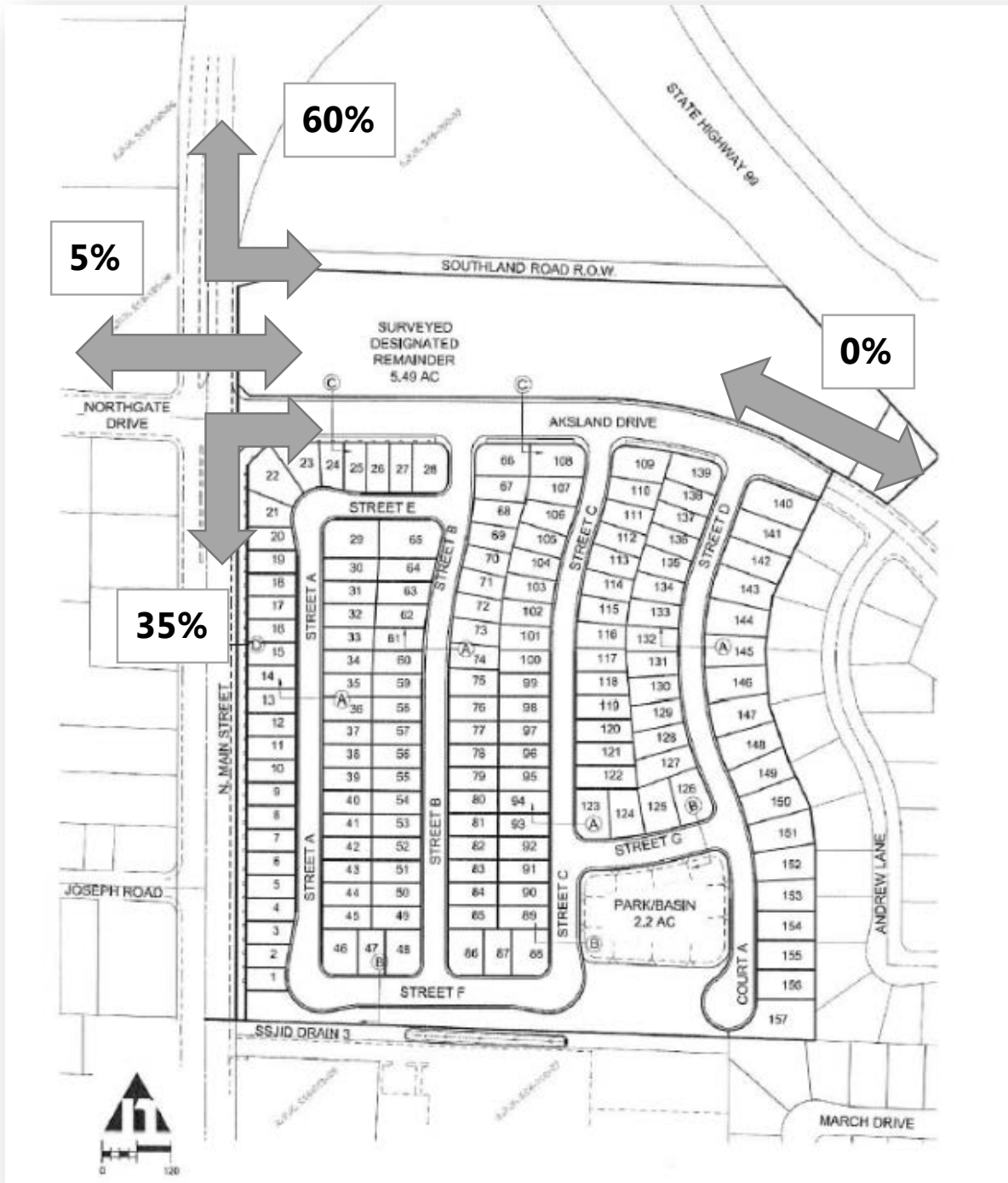
Source: Fehr & Peers, 2018

**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
  - 5 % WB Northgate Drive towards Union Road and Airport Way
  - 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 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.

**Paszkowski, Adam**

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**From:** Schimmelfennig, Lisa  
**Sent:** Monday, March 12, 2018 7:13 AM  
**To:** Paszkowski, Adam  
**Cc:** Hightower, Jeffrey  
**Subject:** FW: Proposal of North Main Commons

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**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 extension 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

## 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:

1. 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
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**TABLE 1  
 PROJECT TRIP GENERATION**

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						In	Out	Total	In	Out	Total	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, 10<sup>th</sup> Edition - 2017)

Source: Fehr & Peers, 2018

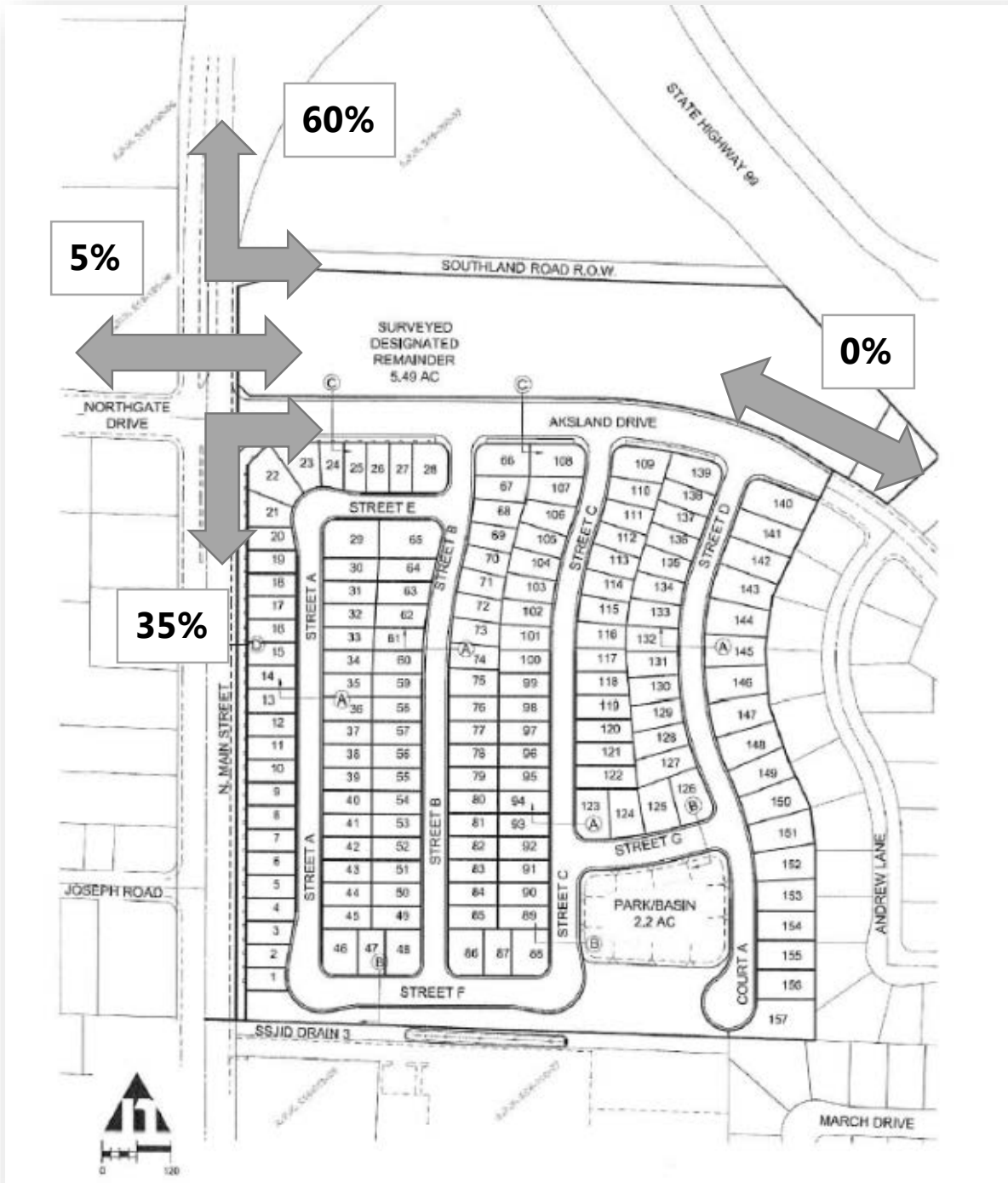
**Project Distribution and Assignment:** The City of Manteca Travel Demand Forecasting Model was used to determine how project-generated traffic would enter and exit the North Main Commons Subdivision based on the following two roadway alternatives:

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
  - 5 % WB Northgate Drive towards Union Road and Airport Way
  - 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.

**Paszkowski, Adam**

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**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.

C-1

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.

C-2

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

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 residents 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 than 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.

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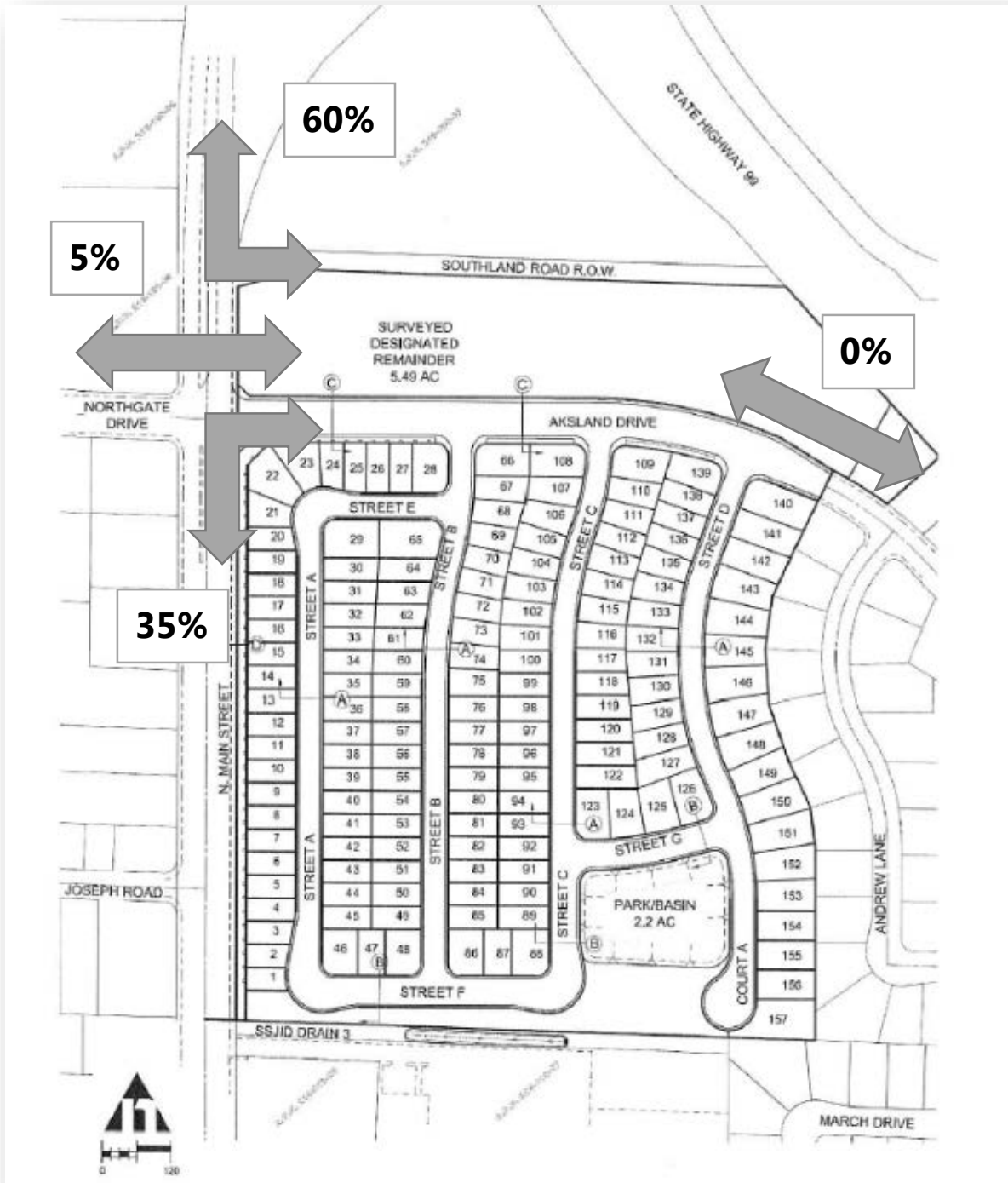
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TABLE 1 PROJECT TRIP GENERATION														
Land Use	Quantity [1,000 sf]	ITE Land Use Code	Peak Hour Trip Rate <sup>1</sup>			Trips								
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Notes:  
 3 . Trip rates from Trip Generation (ITE, 10<sup>th</sup> Edition - 2017)  
 Source: Fehr & Peers, 2018

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- 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
- 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
  - 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.

**Paszkowski, Adam**

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**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 WAIKA 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:

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.

D-3

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.

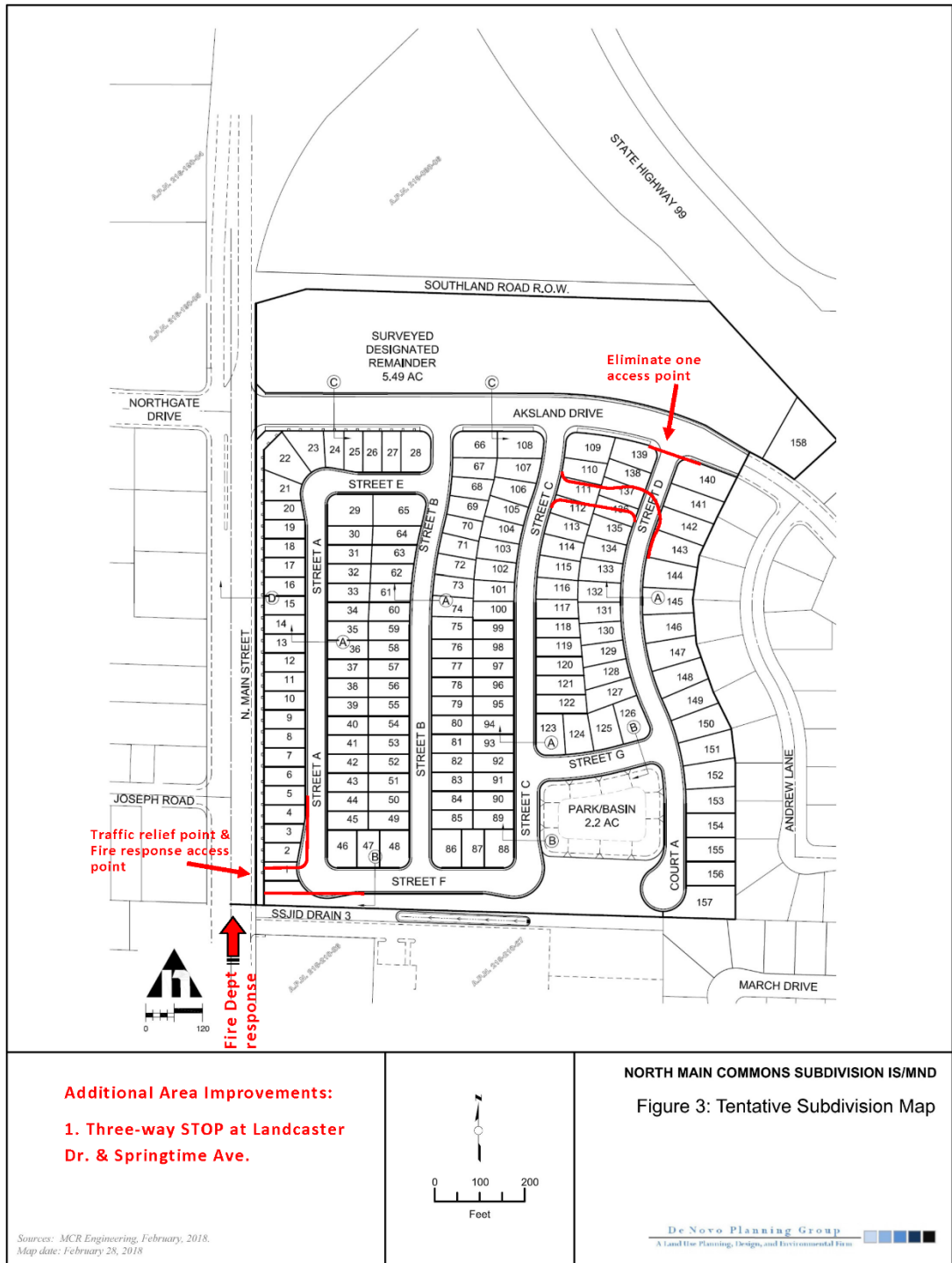
D-4

Benjamin Cantu

--



**BC PLANNING**  
Land Use Planning & Design  
829 Mellon Ave Manteca, CA 95336  
C: 209-679-5204 – F: 209-566-2324



D-4  
(cont.)

## **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.*

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:

1. Extension of Askland 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 Askland 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.

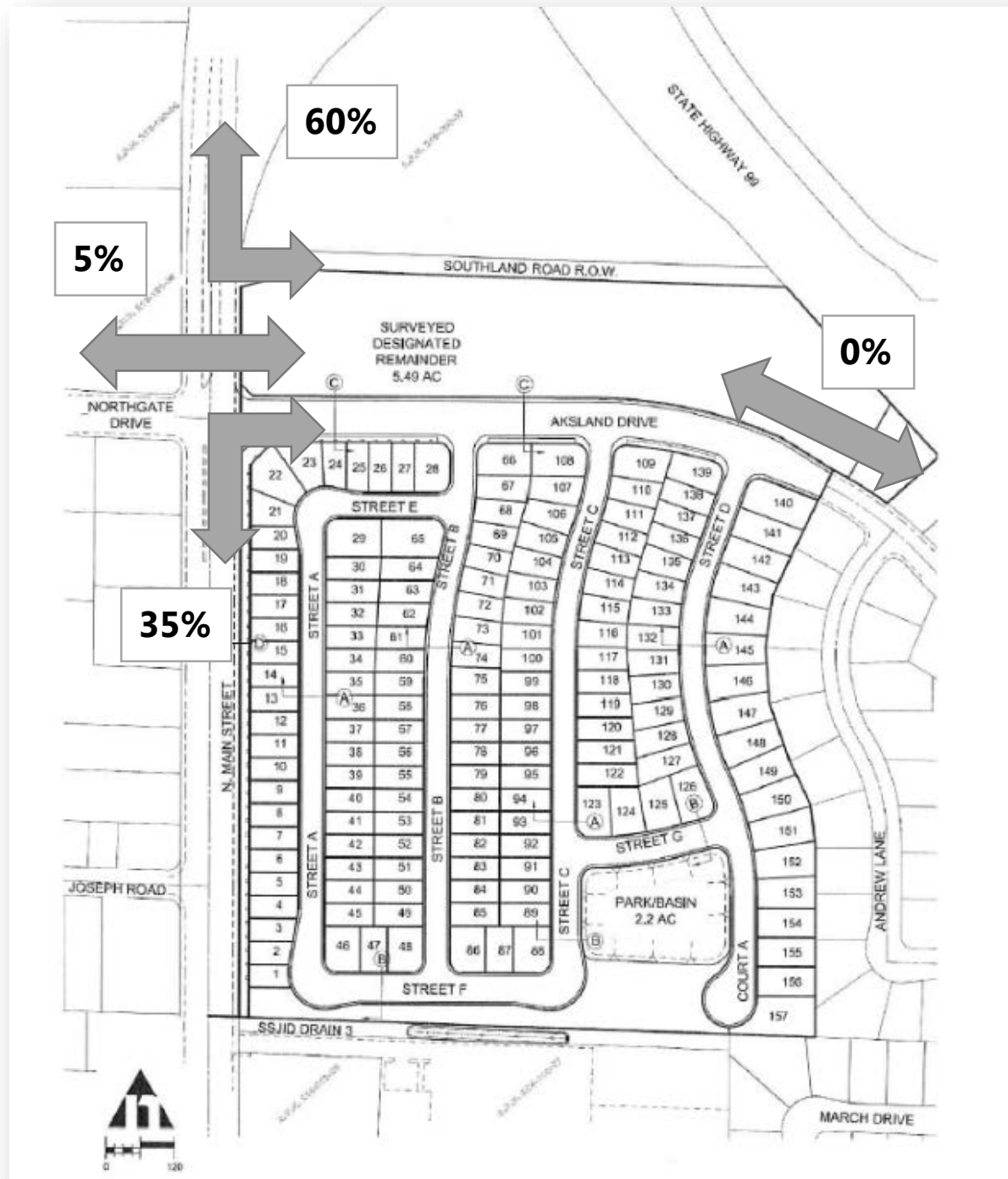
**TABLE 1 PROJECT TRIP GENERATION**

Land Use	Quantity [1,000 sf]	ITE Land Use Code	Peak Hour Trip Rate <sup>1</sup>			Trips								
			AM	PM	Daily	AM Peak Hour			PM Peak Hour			Daily		
						In	Out	Total	In	Out	Total	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:

4. Trip rates from Trip Generation (ITE, 10<sup>th</sup> 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:

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
  - 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.

**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.

**Paszkowski, Adam**

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**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

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.) E-2

Ben Cantu

On Wed, Mar 21, 2018 at 5:02 PM, Paszkowski, Adam <[apaszkowski@ci.manteca.ca.us](mailto: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](tel:(209)456-8523)

## **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 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 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 City Hall. The City has complied with all state noticing requirements.



**Superintendent's Office:  
Facilities Planning**  
Manteca Unified School District

*Erika E. Durrer, Facilities Planning Supervisor*

[edurrer@musd.net](mailto:edurrer@musd.net) | (209)858-0865

March 22, 2018

**VIA E-MAIL ([APASZKOWSKI@CI.MANTECA.CA.US](mailto: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-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.

F-2



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](http://www.mantecausd.net)

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



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.)

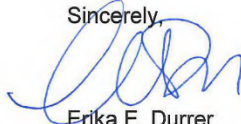
**CONCLUSION.**

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 commentator 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 is 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.



RECEIVED

MAR 29 2018

COMMUNITY DEVELOPMENT  
DEPARTMENT



EDMUND G. BROWN JR.  
GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

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., BCCE, EXECUTIVE OFFICER

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

**Phase I and II Municipal Separate Storm Sewer System (MS4) Permits<sup>1</sup>**

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/](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.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml)

**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](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

<sup>1</sup> 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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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.

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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](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](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:

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2013-0145\\_res.pdf](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](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](mailto: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](mailto:IrrLands@waterboards.ca.gov).

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**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.



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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](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](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.

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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](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](mailto: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

APR 02 2018

Petition summary and background	COMMUNITY DEVELOPMENT DEPARTMENT
<p><b>Traffic</b></p> <p>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 Akland Drive through to Northgate.</p> <p>We petition that the City of Manteca REQUIRE THAT AKSLAND DRIVE DOES NOT CONNECT TO NORTH MAIN STREET AT ALL.</p>	

Printed Name	Signature	Address	Phone number/ Email	Date
KAREN TRAGGESSER	<i>[Signature]</i>	1313 April Pl	209-239-1515	3/24/18
Eric Traggesser	<i>[Signature]</i>	1313 April Pl	AK Traggesser@comcast.net 209-239-1515	3/24/18
John Traggesser	<i>[Signature]</i>	1313 April Place	209-239-1515	3/24/18
CHRIS Chapman	<i>[Signature]</i>	1145 Bud Place	209-988-0844	3/24/18
Jarvis Chapman	<i>[Signature]</i>	1145 Bud Place	(209) 988-0844	3/24/18
Kerri Lamas	<i>[Signature]</i>	1192 Bud place	(209) 824-7238	3/24/18
Karen Moore	<i>[Signature]</i>	1190 Bud Place	709 824-3150	3/24/18
Paul Trusillo	<i>[Signature]</i>	1168 Bud place	510 283 3376	3/24/18
Julitta Tate	<i>[Signature]</i>	1152 Bud Place	209-823-0439	3/24/18

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Printed Name	Signature	Address	Phone number/ Email	Date
Alyssa Botelho		1144 Bud Place	209-988-1117 alyssabotello60	3/27/18
Justin Botelho		1144 Bud Place	J Botelho 608 209-720-6726 @gmail.com	3/24/18
John Schenck		1128 Bud Place	209-8298629	3/24/18
Joey V. Motta		" " "	209-603-2439	3/24/18
Samuel Pate		530 Swallow Dr	209-823-3506	3-24-18
Brenda Riva		530 Swallow Dr.	209-823-3506	3-24-18
Alex Souza		508 Swallow Dr	209-679-3181	3/27/18
Dudley Kislaw		564 Swallow Dr	209 823 2927	3/27/18
Mario Silveira		612 Swallow Dr.	209-612-6328	3/27/18
Naomi Trambler		391 April Wy	209 823-3360	3/28/18
David Trambler		391 April Way	" " "	3/28/18



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### Petition Regarding North Main Commons Project

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
1 David Swift	<i>David Swift</i>	503 APRIL WAY	209-815-3230	3-14-18
2 Jeanne Swift	<i>Jeanne Swift</i>	503 April Way	(209) 815-4403	3-15-18
3 Brian Swift	<i>Brian Swift</i>	1354 Andrew Lane	209-707-3234	3-16-18
4 Ashley Ethel	<i>Ashley Ethel</i>	495 April Way	209-809-8510	3-16-18
5 Bill Horn	<i>Bill Horn</i>	511 APRIL WAY	209 403 7706	3/18/200
6 FLESH PEDMON	<i>Flesh Pedmon</i>	170 April Place	209 568-9929	3/19/18
7 Phyllis R. Brewer	<i>Phyllis R. Brewer</i>	502 Swallow Dr.	209 608-4676	3/27/18
8 T. B. BREWER	<i>T. B. Brewer</i>	502 SWALLOW DR	209-612-9257	3/27/18
9 A. ARCHIBALD	<i>A. Archibald</i>	1144 MAY AVE.	209-430-7064	3/27/18

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### Petition Regarding North Main Commons Project

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
Sylvie Evans	<i>Sylvie Evans</i>	1141 Andrew Lane	662-4152	3-16-18
Fred Ott	<i>Fred Ott</i>	1366 Andrew Lane	481-2296	3-17-18
Doree Owen	<i>Doree Owen</i>	1389 Andrew Ln	(209) 823-4895	3/17/18
William Laco	<i>William Laco</i>	1401 Andrew Ln	209 481-1391	3/17/18
RAY NAVA LAC	<i>Ray Nava Laco</i>	1419 Andrew Ln	510-509-2064	3/17/18
Cathy Noyard	<i>Cathy Noyard</i>	1419 Andrew Ln	925-525-6056	3/17/18
Andrea Graham	<i>Andrea Graham</i>	1426 Andrew Ln.	209 481-2461	3/17/18
Dawn Campes	<i>Dawn Campes</i>	1326 Andrew Lane	209 471 1064	3/17/18
Tess Murren	<i>Tess Murren</i>	1303 Andrew Lane	209-825-1920	3-17-18

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Printed Name	Signature	Address	Phone number/ Email	Date
BETTY MORELLI	<i>Betty Morelli</i>	346 - Gyris Way	209-612-1969	3-17-18
TOM WEBER	<i>Tom Weber</i>	1361 ANDREW LN	209 815-1708	3-17-18
Andy Huke-bosch	<i>Andy Huke-bosch</i>	1327 Andrew Ln.	209.275.8037	3-18-18
RANDALL LONG	<i>Randy Long</i>	1343 ANDREW LN.	209-986-5599	3-18-18
Chrys Torres	<i>Chrys Torres</i>	1375 Andrew Ln	(209) 518-3768	3-19-18
Bruce J. Culler	<i>Bruce J. Culler</i>	407 March Dr.	(209) 824-7305	3-29-18
Charles Culler	<i>Charles Culler</i>	407 March Dr.	(209) 639-3768	3-21-18
Karen Ott	<i>Karen Ott</i>	1364 Andrew Ln	(209) 482-5800	3-31-18



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### Petition Regarding North Main Commons Project

Petition summary and background		Traffic			
Action petitioned for		Signature	Address	Phone number/ Email (OPTIONAL)	Date
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.		Marilyn Einess	1215 May Ave Manteca	209-823-9411	3/19/2018
		GREGORY EINESS	1215 MAY AVE MANTECA	209-823-9411	3/19/18
		DAU PEDRO	1189 MAY AVE MANTECA	209-6063-4470	3-19-18
		Warren Kent	1189 May Ave	209-239-7715	3/19/18
		Thondorpe Rhonda Peaks	1189 MAY AVE	209-230-7527	3-19-18
		Christina Uhl	1177 May Ave	209-607-3273	3/19/18
		Dobrina Carr	1157 May Ave	209-858-8863	3/19/18
		MARK CARRICK	1146 MAY AVE	209-275-9793	3/19/18
		Mary Carrick	1145 May Ave	209-275-9870	3-19-18

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Printed Name	Signature	Address	Phone number/ Email	Date
CHRISTIE [Signature]	[Signature]	1133 MAY AVE MANTERCA	209 670 3027	3/19/18
Therese Johnson	[Signature]	1133 MAY AVE, Manteca	209-629-0256	3/19/18
ANTHONY AGUIRRE	[Signature]	1144 MAY AVE. MANTERCA	209-430-2066	3/19/18
Ben Sianez	[Signature]	1156 May Ave Manteca (209) 672-4665		3/19/18
Anthony Ornelas	[Signature]	1156 May Ave Manteca	209-405-7908	3/19/18
Beverly Froyen	[Signature]	1184 May Ave Manteca	209-824-7775	3/19/18
Ronald Guzman	[Signature]	1202 MAY AVE.	209. 471 - 6442	3-19-18
Antoinette Hillin	[Signature]	621 Chatsworth St Manteca	209 923-4562	3-19-18
Smith E Morgan	[Signature]	1214 May Ave Manteca	209-823-5744	3-19-18
Patricia Becker	[Signature]	1207 May Ave Manteca	209 596-1563	3-19-18
Joni Alameda	[Signature]	1227 May Ave		3-19-18
Bert Alameda	[Signature]	1227 May Ave		3-19-18
LARRY DAIGLE	[Signature]	541 APRIL WAY	209 993 0683	3-19-18
Diane Martinez	[Signature]	591 WARD WAY		3/19/18
KEVIN PEARSON	[Signature]	591 WARD WAY		3/19/18
Martha Hernandez	[Signature]	519 WARDWAY		3/19/18

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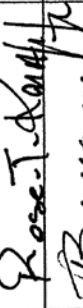
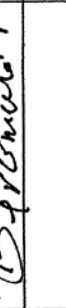
Printed Name	Signature	Address	Phone number/ Email Dpt.	Date
26 CHARONG S CHINDRY		608 WARD WAY	209-855-1422	3-20-18
27 MUNG ANG		608 <del>WARD</del> WARD WAY 1105 WARD PLACE PLANTER CA	209- <del>855</del> 483-1694 209 639 9523	3-20-18
28 CHRISTIAN MORRIS		1165 WARD PLACE	209 639 9523	3/20/18
29 J. GAVELIA		1165 WARD PLACE	209-639-5050	3-20-18
30 CHARLIE LOTT		1161 WARD PL	<del>209</del>	3/20/18
31 <del>LORENZ</del> LUNCH		1149 WARD PL	---	3/20/18
32 I LUNCH		1149 WARD PL	---	3/20/18
33 ROSEMARY McELFRESH ROSEMARY McELFRESH		1148 WARD PL	209 825 9456	3/20/18
34 BILL McELFRESH		1148 WARD PL	209 825 9456	3/20/18
35 DARREN CAMPBELL		672 WARD WAY	209-925-0023	3/20/18
36 ANNA McCAMPELL		672 WARD Way, Manteca	209-483-3810	3-20-18
37 <del>LEONARD DUDLEY</del> LEONARD DUDLEY		690 SWALLOW DR	---	3-20-18
38 LEONARD DUDLEY		672 Swallow Dr.	209 609 23672	3-20-18
39 KIMBERLY DADLEY KIMBERLY DUDLEY		672 Swallow Dr	209 609-1017	3-20-18
40 CRAIG CEDERBERG		660 Swallow Dr	---	3-20-18
41 CHRISTINA CEDERBERG		660 Swallow Dr	209-679-3287	3-20-18



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Printed Name	Signature	Address	Phone number/ Email	Date
42 Karen Wiggins		660 Swallow Dr.	612-0052	3-20-18
43 Rob Turner		663 Swallow Dr.	<del>478</del>	3/20/18
44 Scott Smith		652 Swallow Dr.	823-6974	3/20/18
45 Carol Aksland		1337 Aksland Dr.	209 479-8165	3-22-18
46 Patti Flatter		1351 Aksland Dr.	209-482-8106	3-23-18
47 Dong Flatter		1351 AKSLAND DR.	209-403-0882	3-23-18
48 Gary Aksland		1337 AKSLAND DR	209 479-8165	3/23/18
49 Raul Farjas		406 April Way	209-679-7761 rfa@asdw@gmail.com	
50 Douglas Swift		1320 April Place	209 9698413	3-23-18
51 Darryl Smedley		542 WARD WAY	209 594-6296	3-23-18
52 Thomas Coleman		1113 MT. DEN. AVE.	209 823 6470	3-23-18
53 Denise Wilson		1101 Mt. Den Ave	(209) 604-1801	3/23/18
54 Diane Governor		624 Swallow Dr.	209-239-5168	3/23/18
55 Duvo Unverzahn		624 Swallow Dr.	209-239-5168	3/23/18
56 Jessica Gabbia		1263 Birmingham Ln.	(209) 609-7133	3/23/18
57 Christian Wilson		1161 Mt. Den Ave	(209) 601-1755	3/23/18

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Printed Name	Signature	Address	Phone number/ Email	Date
CHRISTIAN WILSON		1161 MT. DEW JAVE	CW:1502191@qmail.com	3/27/18
SANDRA LEAL		420 APRIL WAY	1601FV143@AOL.COM	3/27/18
FRANK LEAL		420 APRIL WAY	1601FV130@AOL.COM	3/27/18
ROSE KNAPP		494 SWALLOW DR.		3/27/18
INDY B.		132 MAY		

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### Petition Regarding North Main Commons Project

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	
1 Lacey Vaccineto		1334 Aksland Dr.	206-2757	3-19-18	
2 Roy D. Irvin		442 Aksland Ct	823-2646	3-17-18	
3 DENISE IRVIN		442 Aksland Ct	823-2646	3-17-18	
4 Bill Jeffers		431 Aksland Ct	209-239-5021	3/17/18	
5 Martha Jester		431 Aksland Ct	209-239-5021	3-17-18	
6 TERESA GUTTHAMILLER		1836 APRIL PL	209-823-9600	3-17-18	
7 KAY GUTTHAMILLER		1336 APRIL PL	11 11 11	3-17-18	
8 Jennie Patterson		1343 April Pl	209-483-0009	3-17-18	
9 Eel Patterson		1343 April Pl	209-483-0007	3-17-18	



12

Printed Name	Signature	Address	Phone number/ Email	Date
10 DIANE	<i>Diane Buehling</i>	1331 April Place	98 BURLINGTON, VT	3/17/18
11 GARY	<i>Gary</i>	1331 April Place	60 BURLINGTON, VT	3/17/18
12 VINCENT KISS	<i>V. Kiss</i>	1136 Bud Pl	vbkiss2001@yahoo.com	3/17/18
13 CHRISTINA MERRIN	<i>Christina Merrin</i>	1136 Bud Pl	nmerrin12@yahoo.com	3/17/18
14 SERRON NOUNO	<i>Serron Nouno</i>	527 April Way	nmouno16@gmail.com	3/17/18
15 MICHAEL GARDINGA	<i>Michael Garding</i>	515 April Way	(209) 308-5475	3/17/18
16 DEBBIE GIDDINGS	<i>Debbie Giddings</i>	515 April Way	(209) 922-4398	3/17/18
17 RAY FARIAS	<i>Ray Farias</i>	535 April Way	(408) 621-7525	3/17/18
18 LUZ FARIAS	<i>Luz Farias</i>	535 April Way	(408) 674-0051	3/17/18
19 MAYRA SILVO	<i>Mayra Silvo</i>	547 April Way		3/17/18
20 BRIAN COSTA	<i>Brian Costa</i>	439 April Way	510 952 1100	3/17/18
21 MARION ELLIOTT	<i>Marion Elliott</i>	421 APRIL WAY		3/17/18
22 MONA ELLIOTT	<i>Mona Elliott</i>	421 APRIL WAY		
23 MONA TRAMBLE	<i>Mona Tramble</i>	<del>394 April Way</del>	<i>Monas</i>	3/17/18
24 DEBBIE GIDDINGS	<i>Debbie Giddings</i>			3/17/18
25 CINDY MENDEZ	<i>Cindy Mendez</i>	1325 Atskand Dr.	(209) 824-9755	3/18/18



13

Printed Name	Signature	Address	Phone number/ Email	Date
26 Zeke Mendoz Jr	<i>Zeke Mendoz Jr</i>	1325 AKSLAND DR.	(209) 824-9755	3/18/18
27 Mr. Luke	<i>Zeke Mendoz</i>	1325 AKSLAND DR.	209-824-9755	3/18/18
28 Cathie Mendez	<i>Cathie Mendez</i>	1325 AKSLAND DR.	209-824-9755	3-18-18
29 LAHLGU HADICHE	<i>[Signature]</i>	1322 AKSLAND DR	510 478 3010	3-18-18
30 NABILECHERGUI	<i>[Signature]</i>	1322 AKSLAND DR	510 730 9809	3-18-18
31 MARY J. ADAMS	<i>Mary Adams</i>	1322 AKSLAND DR	209-985-6655	3-18-18
32 Eric Robinson	<i>[Signature]</i>	590 Ward Way	(209) 481 9046	3-18-18
33 Swannette	<i>Swannette Robinson</i>	510 Ward Way	(209) 612 0055	3/18/18
34 Scott Mercedes	<i>Scott Mercedes</i>	530 Ward Way	209 612-5207	3/18/18
35 Sholie Mercedes	<i>Sholie Mercedes</i>	530 Ward Way	" "	3/18/18
36		522 Ward Wy.		
37	<i>[Signature]</i>	554 Ward Way	209-229-9865	3/18/18
38	<i>[Signature]</i>	554 Ward Way	209-229-9865	3/18/18
39 Jodie Rodin	<i>Jodie Rodin</i>	588 Ward Way	209-927-8815	3/18/18
40 Michelle Gonzalez	<i>Michelle Gonzalez</i>	583 Ward Way	(209) 470-3948	3/18/18
41 Bradley Fleming	<i>Bradley Fleming</i>	583 Ward Way	(510) 909 4954	3/18/18

14

Printed Name	Signature	Address	Phone number/ Email	Date
42 Sherry Johnson		563 Ward Way	209-823-9541	3/18/18
43 Emily Costa		439 April Way	209-482-4248	3/18/18
44 Penn Marto		12 Marto	U 928 18	3/20/18
45 Karmetta Danforth		1079 Ward Way	3/20/18	3
46 Catherine Tiesse		1025 Ward Way	3/20/18	
47 Robin Patterson		708 Ward Way	3/20/18	
48 Helen Dallards		740 Ward Way	20/18	
49 Jonathan Coste		831 Ward Way	3/20/18	
50 Kristin Williams		629 Wardway	3/20/18	
51 Jennifer Cohen		647 Ward Way	3/20/18	
Ashley Rodrigues		450 Swallow Ct	(530) 718-8809	3-25-18
JoAnne Lund		411 Swallow Ct	209-470-9727	3-25-18
Peyton Lund		411 Swallow Ct	209-275-5540	3-25-18
Frank Johnson		1174 Springtime Ave	209-825-7476	3-26-18
Denise Johnson		1174 Springtime Ave	209-825-7476	3-26-18
Shelly Walker		1166 Springtime Ave.	209-670-6265	3-26-18
Madelyn Gonzalez		1166 Springtime Ave.	209-	03/26/18

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Printed Name	Signature	Address	Phone number/ Email	Date
Martha Dastin	Martha Dastin	374 April Way	209-986-8511 cdastin@comcast.net	3/18/18
Maria Dias	Maria Dias	374 April Way	209-823-3741	3/18/18
Andrew Gross	[Signature]	447 Fawn Ct	204-674-6776	3-25-18
Nali Groves	[Signature]	447 Fawn Ct	(608) 284-9441	3/25/18
TONI CROSBY	[Signature]	410 Fawn Ct	(209) 275-5064	3/25/18
Alyllis Frohm	[Signature]	448 Fawn Ct	(909) 823-2482	3/25/18
Fran Lane	[Signature]	426 Swallow Ct.	209-823-9488	3/25/18
MARTIN PLANT	[Signature]	146 SPRINGTIME	707 386 1536	3/25/18
Lemuel Jackson	[Signature]	449 WARD CT	209-239-7596	3/25/18
CAROL MONTGOMERY	[Signature]	1154 Springtime Ave.	209-239-5862	3/26/18
RAYMOND THERIAULT	[Signature]	1154 Springtime Ave.	209-239-5862	3/26/18
MELW ABREW	[Signature]	373 APRIL WAY	209-824-5308	3/27/18
JUDY ABREW	[Signature]	373 APRIL WAY	209-824-5308	3/27/18



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### Petition Regarding North Main Commons Project



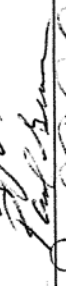




Petition summary and background	Traffic
Action petitioned for	<p>We, the undersigned, residents of the neighborhood South of the proposed North Main Commons Project will be adversely impacted by the traffic caused by its connection of Aksland Drive through to Northgate.                      We petition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

Printed Name	Signature	Address	Phone number/ Email	Date
Jamie Huffman	<i>Jamie Huffman</i>	1343 Andrew Lane	209-960-5599 / jhuffman@comcast.net	3/17/18
Theresa A. Owen	<i>Theresa A. Owen</i>	1387 Andrews Lane	209 823 4895	3/17/18
Terri Campa	<i>Terri Campa</i>	1410 Aksland Dr.	209-969-5722	3/17/18
Melissa Ortiz	<i>Melissa Ortiz</i>	VIA AKSLAND DR.	209-481-1157	3/17/18
John E. Cramer	<i>John E. Cramer</i>	1410 AKSLAND DR.	209-981-3123	3/17/18
DARREN SWIFT	<i>Darren Swift</i>	1384 AKSLAND DR. A	209-275-7505	3/17/18
WAYNE DENENE	<i>Wayne Denene</i>	1376 AKSLAND	209-239-4999	3/18/18
GEORGE MASETTI	<i>George Masetti</i>	1315 Andrew Lane	209-479-2429	3/17/18
LINDA MASETTI	<i>Linda Masetti</i>	1315 Andrew Lane	209 823-0921	3.17.18

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Printed Name	Signature	Address	Phone number/ Email	Date
Pam Huker	<i>[Signature]</i>	1327 Andrew Ln.	(209) 823-1357	3/18/18
Chrys Torres	<i>[Signature]</i>	1375 Andrew Ln	(209) 518-3768	3/18/18
Robert Torres	<i>[Signature]</i>	1375 Andrew Ln	(209) 595-7686	3/18/18
Ismael Amador	<i>[Signature]</i>	1405 Akstand Drive	209 823 5777	3/18/18
Rahin Wilton	<i>[Signature]</i>	1385 Akstand Dr	(209) 239-5453	3/18/18
Danyel Wilton	<i>[Signature]</i>	1385 Akstand Dr	(209) 239-5453	3/18/18
Dawn Campos	<i>[Signature]</i>	1324 Andrews Lane	209 471 1064	3/19/18
Ronald Campos	<i>[Signature]</i>	1326 Andrews Lane	209-971-0538	3/19/18
Jessica Campos	<i>[Signature]</i>	362 April Way	209 471 4107	3/19/18
Vickie Lopez	<i>[Signature]</i>	551 April Way	408 393 0065	3/20/18
Wagner Francis	<i>[Signature]</i>	551 April Way	(408) 658-5808	3/20/18
Cassie Cabon	<i>[Signature]</i>	"Ditto"	(408) 614-1486	3/21/18
Richard Nasir	<i>[Signature]</i>	570 Ward Way	576 612 5579	3-23-18
Michelle Cravillo	<i>[Signature]</i>	583 Ward Way	(209) 470-3943	3-23-18
Ed Nunez	<i>[Signature]</i>	1160 Mt Dew Ave	209 380 9752	3-23-18
Ed Nunez	<i>[Signature]</i>	1144 Mt Dew Ave	209.629.6928	3/23/18

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Printed Name	Signature	Address	Phone number/ Email	Date
Jessie Souza		1128 Mountain Dew ave.	209-679-6522	3-23-18
Jamal Tolks		1153 Mt Dew ave	209-661-5175	3-23-18
Paul Greer		1185 Mt Dew Ave	510 731 9381	3/23/18
Samuel Caballero		1129 Mt Dew Ave	209 823-3036	3/23/18
Lupe Huiposta		1738 Andrew Lane	209 823 5705	3-26-18
WYNNE FILIPOWSKI		1338 Anderson Ln	209 823 5705	3-26-18
ROY HUSHER		1400 Okeland dr	(650) 992-1771	3/26/18

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### Petition Regarding North Main Commons Project

Petition summary and background		Traffic				
Action petitioned for		Printed Name	Signature	Address	Phone number/ Email	Date
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.		Rae Tinkovics		293 LANCASTER DR.	(209) 825-4285	3-17-18
		Giera Tinkovics		293 Lancaster Dr.	(209) 825-4285	3-17-18
		Gadi Tinkovics		293 Lancaster Dr.	(209) 815-6476	3-28-18
		Jacob Twist		293 Lancaster Dr.	(209) 825-4285	3-28-18
		Jim Himes		321 Rose Garden Ct	209 275 2650	3/30/18



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### Petition Regarding North Main Commons Project

Petition summary and background		Traffic				
<p>Action petitioned for</p> <p>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.</p>		Printed Name	Signature	Address	Phone number/ Email	Date
		CHRIS KILGOUR		1214 SPRINGTIME AVE	(209) 823-0397	3-18-18
		MRS ANNE		PO BOX 603	603 686	
		SHARLEY WHITE		1186 SPRINGTIME AVE	209-825-1706	3-18-18
		JAMELA PLANT		1146 Springtime Ave	209-601-1824	3-18-18
		Martin Plant		1146 Springtime Avenue	707-386-1536	3-18-18
		Mary Castro		422 March Drive	510-774-1614	3-23-18
		Norman Probst		422 March Drive	510-476-8878	3-23-18
		Tina King		396 March Dr	209 412 4647	3-24-18
		Bruce King		396 March Dr	209 481 5020	3-24-18

21

Printed Name	Signature	Address	Phone number/ Email	Date
Ryann West		437 Ward Ct.	209) 923-4042	3-25-18
Rebecca Lavelly		426 Ward Ct.	209. 825.5455	3/25/18
Paul Ryan		450 WARD CT	415-516-8867	3-25-18
Greg Guimont		388 March Drive	209 603 <del>9195</del>	3-25-18
Patricia Podesta		366 March Drive	209-505-7113	3-25-18
Trissa Widman		350 March Dr	(925) 487-9528	3-25-18
Richard Cruz		316 March Dr	209) 823-3510	3-25-18
Bertha Cruz		316 March Dr.	209-823-3510	3-25-18
Martin Espinoza		1275 Sweetbrier Ln	(209) 688-2299	3/25/18
THOMAS SILVA		1255 Sweetbrier Pl	209 823 9582	3/25/18
Pat Silver		1255 Sweetbrier Pl	209 823 9582	3/25/18
<del>Isabel</del>		331 March Dr	209-825-4398	3/25/18
Juanmuynght		331 March Dr	209 825-4398	3/25/18
Rachel Wright		331 March Dr.	(209) 825-4398	3/25/18
Ryann Wright		331 MARCH DR	209 825 4398	3-25-18
Kevin Keating		349 March Dr.	209 430 9088	3/25/18

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Printed Name	Signature	Address	Phone number/ Email	Date
Jasontobus		352 Lancaster	209 858 7357	3/29/18
Amy Browning		330 Lancaster Dr	Razzyismom16@gmail.com	3/29/18
Silvia Gutierrez		281 Lancaster Dr	209 7481-2286	3/29/18
Nena Stewart		395 Lancaster Dr	stewart.nena@gmail.com	3/29/18
Saron Bulmar		417 Ward Ct	Bulmar81@gmail.com	3/29/18
Nicholas Bulmar		417 Ward Ct	Nrbulmar@gmail.com	3-29-18

	Print Name	Address	Signature
1	ANTHONY VALLIERA	445 ARLAND CT.	
2	Linda Cardoza	421 March Dr	
3	Mary Castro	422 March Dr	
4	David Montez	1277 Springtime Ave	
5	Lion Duncan	1274 Springtime Ave	
6	Dorothy Keating	1255 Springtime Ave	
7	David Keating	1255 Springtime Ave	
8	Annie Ellman	395 March Dr.	
9			



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Printed Name	Signature	Address	Phone number/ Email	Date
Georgio Waters	<i>Georgio Waters</i>	301 March Dr	<del>209</del> 471-0322	3/25/18
Patricia Awiella	PATRICIA WELLS	301 March Dr	209-825-5720	3/25/2018
Vivian	Vicki Cravchin	1235 Sweetbriar Pl	209 481 9349	3/25/18
Ron Crawford	Ron Crawford	1235 Sweetbriar Pl	209 461-6168	3/25/18
Cathy Rimes	<i>Cathy Rimes</i>	381 Rose Garden Ct	809-629-5879	3/25/18
Shirley Moore	Shirley Moore	344 ROSE GARDEN Ct	209 239-5791	3/25/18
Ken Coble	Ken Coble	412 WARD CT	209 825-2976	3/26/18
Cynthia Coble	Cynthia Coble	412 WARD Ct.	209 923-7301	3/26/18
Louise Bevins	<i>Louise Bevins</i>	421 Lancaster ST	809 275-0421	3/26/18
John Cunningham	<i>John Cunningham</i>	381 Lancaster Dr	209 923-0936	3-26-18
Michelle Domeier	Michelle Domeier	435 Lancaster Dr.	209 403-1512	3-26-18
Suzanne Stutz	<i>Suzanne Stutz</i>	347 LANCASTER DR	209 823 6219	3/26/18
STEVE ALTHEIS	<i>Steve Altheis</i>	347 LANCASTER DR	209 823 6219	3/26/18
WALT FAWCETT	<i>Walt Fawcett</i>	436 LANCASTER DR.	209-606-7275	3/29/18
Brenda Gibbons	<i>Brenda Gibbons</i>	436 LANCASTER DR.	209-729-5477	3/29/18
Tiana Thos	<i>Tiana Thos</i>	352 Lancaster Dr	209-923-1730	3/29/18

RECEIVED

APR 02 2018

**Petition Regarding North Main Commons Project**

Petition summary and background	COMMUNITY DEVELOPMENT DEPARTMENT	
Action petitioned for	<p><b>Privacy</b></p> <p>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.</p>	

Printed Name	Signature	Address	Phone number/ Email	Date
Al Maestriotti	<i>Al Maestriotti</i>	1315 Andrew Lane <del>1315 Manteca St.</del>	209-823-8921	3/29/18
LINDA MAESTRIOTTI	<i>Linda Maestriotti</i>	1315 Andrew Lane	209-823-0921	3/29/18
WYNNE FILIPPOSKI	<i>Wynne Filippowski</i>	1338 Andrew Ln	209-823-5705	3-29-18
Wynne Filippowski	<i>Wynne Filippowski</i>	1338 Andrew Ln.	209-823-5705	3-29-18
JUDY ABREW	<i>Judy Abrew</i>	373 April Wy	209-804-5308	3-29-18
MEL ABREW	<i>Mel Abrew</i>	373 April Wy	209-824-5308	3-29-18
Brian Swift	<i>Brian Swift</i>	1354 Andrew Lane	209-456-2942	3-29-18
Betty Morelli	<i>Betty Morelli</i>	346 APRIL WAY	209-612-1769	3-29-18
LANDALE CAMPES	<i>Landale Campes</i>	1326 Andrew Ln.	209-471-0538	3-29-18
Landale Campes	<i>Landale Campes</i>	1326 Andrew Lane	209 471 1064	3/29/18








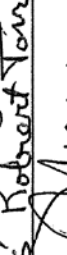




### Petition Regarding North Main Commons Project

Petition summary and background	Privacy	
Action 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
Pamela Hulsebosch	<i>[Signature]</i>	1327 Andrew Ln, Manteca, CA	(209) 823-1357	3/29/18
Andy Hulsebosch	<i>[Signature]</i>	1327 Andrew Ln, Manteca	209 275-8037 Andy.hulsebosch@yahoo.com	3-29-18
Randy Looser	<i>[Signature]</i>	1343 Andrew Ln	209 986-5599 rlooser@ymail.com	3/29/18
Janie Wong	<i>[Signature]</i>	1413 Andrew Ln	209 607-9274 jwong1113@comcast.com	3/29/18
Suble Evans	<i>[Signature]</i>	1401 Andrew Ln	209 662-4192	3/27/18
W. Grant Ab	<i>[Signature]</i>	1401 Andrew Ln	SIRAUDEJANS@aol.com	3-31-18
TOM WEBER	<i>[Signature]</i>	1361 Andrew Ln	810 1 708 TWEBER30RD@comcast.net	3-31-18
Linda Weber	<i>[Signature]</i>	1361 Andrew Ln	815 6878 SPARKISS20036@msn.com	3-31-18
Carrie Bray	<i>[Signature]</i>	1433 Andrew Ln		4-2-18

### Petition Regarding North Main Commons Project

Petition summary and background	Privacy	
Action 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
Theresa A Quinn		1387 Andrew Lane	209 823-4895	3/29/18
Debbie Owen		1387 Andrew Lane	(209) 823-4895	3/29/18
Franz Ott		1366 Andrew Lane	(209) 481-2296	3/30/18
Karen Ott		1366 Andrew Lane	(209) 823-1020	3/30/18
Samp Torres		1375 Andrew Lane	(209) 518-3768	3/29/18
Robert Torres		1375 Andrew Lane	(209) 595-7686	3/29/18
Teresa Manner		1303 Andrew Lane	(209) 825-1920	3-29-18
Cathy Noland		1491 Andrew Lane	(925) 525-6056	3-29-18
Ray Noland		1419 Andrew Lane	510-509-0064	3/29/18
Thomas Noland		1419 Andrew Ln	925-640-7635	3/29/18

## **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 Askland 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 Askland 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 Askland 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.

**TABLE 1  
 PROJECT TRIP GENERATION**

Land Use	Quantity [1,000 sf]	ITE Land Use Code	Peak Hour Trip Rate <sup>1</sup>			Trips								
			AM	PM	Daily	AM Peak Hour			PM Peak Hour			Daily		
						In	Out	Total	In	Out	Total	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:

5 . Trip rates from Trip Generation (ITE, 10<sup>th</sup> Edition - 2017)

Source: Fehr & Peers, 2018

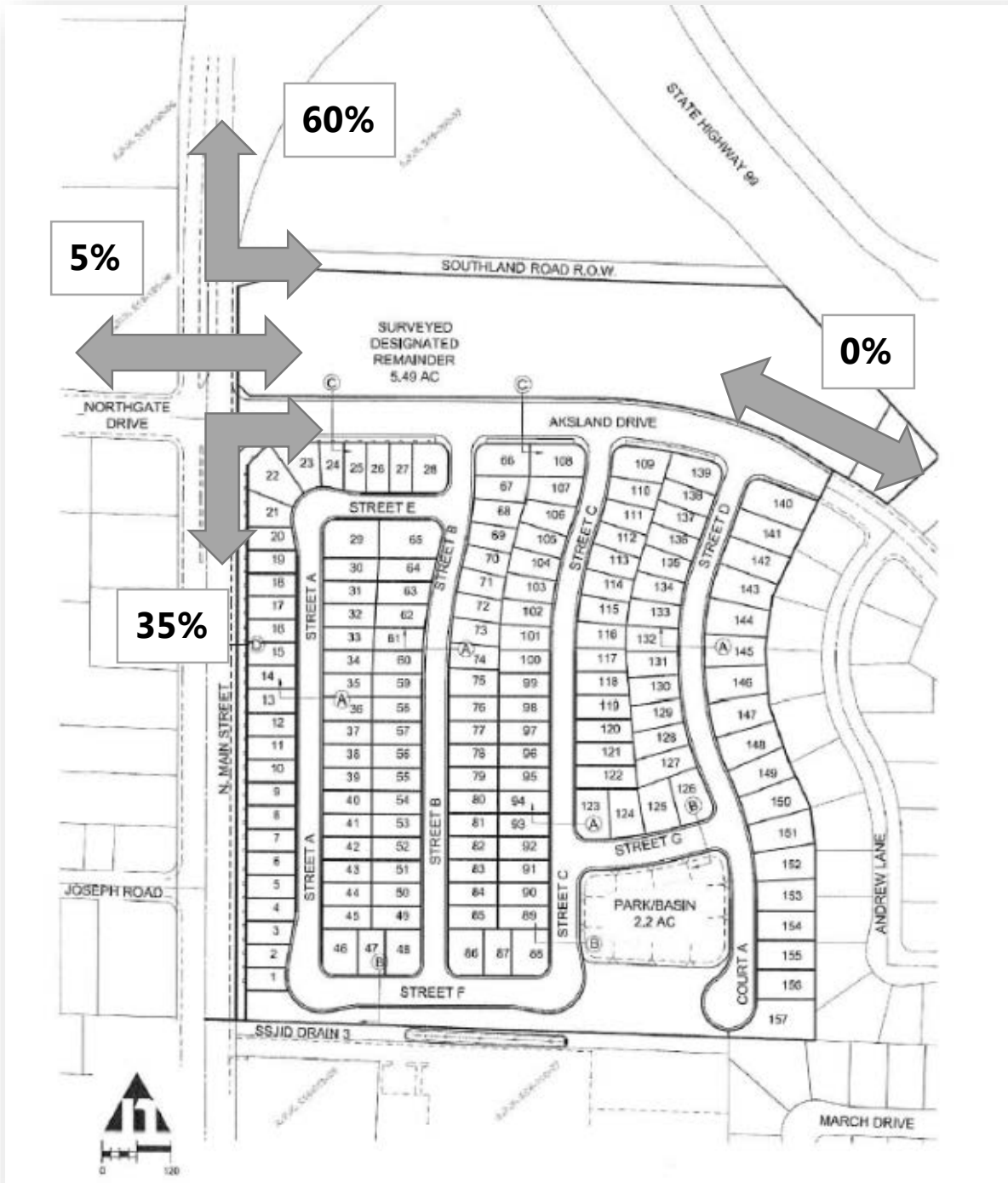
**Project Distribution and Assignment:** The City of Manteca Travel Demand Forecasting Model was used to determine how project-generated traffic would enter and exit the North Main Commons Subdivision based on the following two roadway alternatives:

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
  - 5 % WB Northgate Drive towards Union Road and Airport Way
  - 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**

The 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 than the zoning ordinance allows.



## SAN JOAQUIN COUNCIL OF GOVERNMENTS

555 E. Weber Avenue • Stockton, California 95202 • P 209.235.0600 • F 209.235.0438 • [www.sj cog.org](http://www.sj cog.org)

### San Joaquin County Airport Land Use Commission/Congestion Management Agency

*Katherine Miller*  
CHAIR

*Robert Rickman*  
VICE CHAIR

*Andrew T. Chesley*  
EXECUTIVE DIRECTOR

*Member Agencies*  
CITIES OF  
ESCALON,  
LATHROP,  
LODI,  
MANTECA,  
RIPON,  
STOCKTON,  
TRACY,  
AND  
THE COUNTY 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 (SJCOC), 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).

1-1

#### CONGESTION MANAGEMENT AGENCY'S REVIEW

SJCOC adopted the 2016 Update to the Regional Congestion Management Program (RCMP) ([http://www.sj cog-rcmp.org/literature\\_231152/2016\\_RCMP\\_Update\\_Adopted\\_Report](http://www.sj cog-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.

1-2

SJCOC 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?

1-3

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

1-4

*intersections) or incompatible uses (e.g., farm equipment)?*  
e) *Result in inadequate emergency access?*

I-4  
(cont.)

#### AIRPORT LAND USE COMMISSION'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).

1. 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).
  
2. 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:
    - i. 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.

I-5

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

I-6

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

I-6  
(cont.)

Sincerely,

A handwritten signature in blue ink that reads "Travis Yokoyama". The signature is written in a cursive style with a large, sweeping flourish at the end.

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 a revision to the Initial Study identified below with revision marks (underline 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**

<i>Would the project:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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	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	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?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous		X		



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)?			X	

**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 (underline 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 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 Akslund 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 Akslund 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.

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.



EDMUND G. BROWN JR.  
GOVERNOR

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE of PLANNING AND RESEARCH



KEN ALEX  
DIRECTOR

April 3, 2018

RECEIVED  
APR 09 2018  
COMMUNITY DEVELOPMENT  
DEPARTMENT

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**

<b>SCH#</b>	2018032003		
<b>Project Title</b>	North Main Commons Subdivision		
<b>Lead Agency</b>	Manteca, City of		
<hr/>			
<b>Type</b>	MND Mitigated Negative Declaration		
<b>Description</b>	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.		
<hr/>			
<b>Lead Agency Contact</b>			
<b>Name</b>	Adam Paszkowski		
<b>Agency</b>	City of Manteca		
<b>Phone</b>	209-456-8523	<b>Fax</b>	
<b>email</b>			
<b>Address</b>	1001 W. Center Street		
<b>City</b>	Manteca	<b>State</b>	CA <b>Zip</b> 95337
<hr/>			
<b>Project Location</b>			
<b>County</b>	San Joaquin		
<b>City</b>	Manteca		
<b>Region</b>			
<b>Lat / Long</b>			
<b>Cross Streets</b>	N Main St & Aksland Dr		
<b>Parcel No.</b>	218-100-01, 02		
<b>Township</b>	1S	<b>Range</b>	7E <b>Section</b> 28 <b>Base</b> MD
<hr/>			
<b>Proximity to:</b>			
<b>Highways</b>	SR 99		
<b>Airports</b>			
<b>Railways</b>	UPRR		
<b>Waterways</b>	San Joaquin River		
<b>Schools</b>	Manteca USD		
<b>Land Use</b>	vacant/mixed use commercial/commercial mixed use		
<hr/>			
<b>Project Issues</b>	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		
<hr/>			
<b>Reviewing Agencies</b>	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		
<hr/>			
<b>Date Received</b>	03/01/2018	<b>Start of Review</b>	03/02/2018 <b>End of Review</b> 04/02/2018

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



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4-2-18  
E



Central Valley Regional Water Quality Control Board

Governor's Office of Planning & Research

MAR 30 2018

STATE CLEARINGHOUSE

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. LONCLEY 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](http://www.waterboards.ca.gov/centralvalley)





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/](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](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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San Joaquin County

26 March 2018

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

**Phase I and II Municipal Separate Storm Sewer System (MS4) Permits<sup>1</sup>**

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/](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.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml)

**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](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

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<sup>1</sup> 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](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](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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San Joaquin County

26 March 2018

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2013-0145\\_res.pdf](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](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](mailto: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](mailto: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.



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](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](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](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](mailto:Stephanie.Tadlock@waterboards.ca.gov).



Stephanie Tadlock  
Environmental Scientist

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.



**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).

K-1

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.

K-2

**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.sjco.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:
  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 of the ITMMs.
  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:

K-3

2 | S J C O G , I n c .

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- 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.
4. 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.
- Receive your Certificate of Payment and release the required permit

K-3  
(cont.)

*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.



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*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:

- 1) 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 of the ITMMs.
  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.
  4. 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

T \_\_\_\_\_, 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.**



## **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 unmapped 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.