

# RESPONSE TO COMMENTS

## LIST OF COMMENTERS

Table 1 lists the comments on the Draft IS/MND that were submitted to the City of Manteca (City) during the public review period for the proposed Indelicato Property Subdivision Project Initial Study/Mitigated Negative Declaration (IS/MND). CEQA statutes do not require a formal response to comment for an IS/MND; however, the City has chosen to provide formal responses to all comment letters for informational purposes. The assigned comment letter or number, 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, etc.).

**TABLE 1 LIST OF COMMENTERS ON DRAFT IS/MND**

<i>RESPONSE LETTER</i>	<i>INDIVIDUAL OR SIGNATORY</i>	<i>AFFILIATION</i>	<i>DATE</i>
A	Richard and Marilyn Armstrong	Resident	4-12-23
B	Group Letter with the following 43 Signatories from the Del Webb Neighborhood/Woodbridge: <ol style="list-style-type: none"> <li>1. Nancy Behney</li> <li>2. Deborah L. De La Cruz</li> <li>3. Joy Hurlbut</li> <li>4. Robert and Shirley Reynolds</li> <li>5. Cheryl Grady</li> <li>6. John Green</li> <li>7. Robert and Marlyn Armstrong</li> <li>8. Pat Wolfe</li> <li>9. Donald Harris</li> <li>10. Michael and Debra Machado</li> <li>11. Cindy Jackson</li> <li>12. Edwina and Michael Rich</li> <li>13. Chalres and Nacy Pew</li> <li>14. Bill and Linda Miller</li> <li>15. Ed and Marietta Araya</li> <li>16. Roger Gibson</li> <li>17. Cynthia Thompson (2)</li> <li>18. Patrick McDonald</li> <li>19. Mariana Wilson</li> <li>20. Anita Snyder</li> <li>21. James Germaine</li> <li>22. Jo Ann Germaine</li> <li>23. Randall William</li> <li>24. Maggie William</li> <li>25. Ben and Margaret Kimura</li> <li>26. Perry Gibson</li> <li>27. Deanna Langworthy</li> <li>28. Santi Afrolan</li> <li>29. Mercedes Foote</li> <li>30. Frank Lucerno</li> <li>31. John and Diane Lennert</li> </ol>	Del Webb Neighbors	4-26-23

## RESPONSE TO COMMENTS

<i>RESPONSE LETTER</i>	<i>INDIVIDUAL OR SIGNATORY</i>	<i>AFFILIATION</i>	<i>DATE</i>
	32. Julie Verduzco 33. Ronald and Nancy Berger 34. Jon and Deborah Ford 35. Rodger and Judith Goodnow 36. Irma Lewis 37. Andrew Edmanor 38. David and Carolyn Bray 39. Bob and LaVerne Onorato 40. Judith Legos 41. Mike and Sandra Raubenher 42. Yolanda Rodelander 43. Joseph Relks		
C	Mike Spence	Resident	4-27-23
D	Bill Barnhart	Resident	4-30-23
E	Mark Voss	Resident	4-30-23
F	Terry Voss	Resident	4-30-23
G	Zach Kearns	California Dept. of Fish and Wildlife	5-3-23
H	HJ Heaney	Resident	5-5-23
I	Phyllis McDonald	Resident	5-7-23
J	Phyllis McDonald	Resident	5-8-23

## COMMENTS AND RESPONSES

The lead agency is evaluating and responding to all comments on the that regard an environmental issue. The written response addresses the environmental issue raised and provides a detailed response. The written response is a good faith and reasoned analysis. It is noted that lead agencies need only to respond to significant environmental issues associated with the proposed Project and do not need to provide all the information requested by the commenter, as long as a good faith effort at full disclosure.

## RESPONSES TO COMMENT LETTERS

Written comments on the CEQA document 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:

- Each letter is lettered or numbered (i.e., Letter A) and each comment within each letter is numbered (i.e., comment A-1, comment A-2).

**April 12, 2023**

**Lea C. Simvoulakis  
Deputy Director-Planning  
City of Manteca  
1215 West Center Street  
Suite 201  
Manteca, CA 95337**

**Re: Mitigated Negative Declaration/Initial Study  
For the Indelicato Property Subdivision Project**

**Ms. Simvoulakis:**

**When we re-located from the foothills to San Joaquin Valley 10+years ago we chose an area called “Del Webb Woodbridge” finding a home with our backyard abutting up to a beautiful almond orchard, we love having “almond snow” fall each Spring, the fragrance is heavenly, BUT also realized this would not last forever. Ten+ years have been wonderful, now progress has taken over, yes we’ll miss the quietness, the squirrels, even the gophers, and the night sounds of coyotes finding food for their babies, it really is what it is.**

A-1

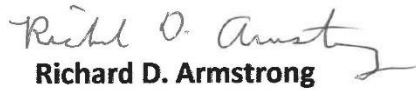
**We’re hoping the development plans for Kifer Homes will take into consideration the backyards of ours and other established homes along Shady Oak Street. What we would like is to keep our privacy as much as possible, a sound wall would be great but our biggest concern is “two-story homes” being built along the south perimeter of their community. We’ve noticed in other Kifer Developments there were**

several 2-story models offered which is great for larger families, I'm sure you are aware Del Webb residents are 55+, we only have young children visit us, then leave so privacy is very important to us as a community. My husband and I have found our forever home here in Del Webb, where we can live out our "Golden Years" among other friends who are doing the same.

A-1  
cont'd

Ms. Simvoulakis, my husband and I would like to "thank you" and your committee for listening/considering our concerns and hope you'll take our suggestions to heart.

Best regards,

  
Richard D. Armstrong  
1955 Shady Oak Street  
Manteca, CA 95336

  
Marilyn S. Armstrong

Lot #: 665

**Response to Letter A: Richard and Marilyn Armstrong**

**Response A-1:** The commenter expresses concerns related to privacy and states that their biggest concern is the two-story homes proposed along the south perimeter of their community.

While the comment does not address the environmental concerns, adequacy of the IS/MND, or compliance with CEQA, this comment is noted for its design concerns and has been forwarded to the decision-makers for their consideration of topics beyond the adequacy of the IS/MND.

It is noted that, in response to the design concerns of this commenter and other Woodbridge residents, the Project proponent met with various Woodbridge representatives to discuss their design concerns and to compromise on key issues. As part of this dialogue, Project proponent has agreed that all lots immediately adjacent to the existing Woodbridge development shall be restricted to single-story homes. This agreement was not warranted to mitigate a CEQA impact, but instead represents the Project proponent's good faith effort to respond to design concerns of neighbors.

## RESPONSE TO COMMENTS

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Dear Homeowner,

Attached, you will find a letter in response to the notice sent to us by the City of Manteca regarding the Indelicato Property Subdivision Project. Listed are some concerns regarding the project and construction.

Since there is no open forum for us to voice our concerns, please consider signing your name, address, and date, and returning the attached letter to the City of Manteca to the attention of Deputy-Director Planning, Lea Simvoulakis.

You may have other questions or concerns and have sent your own response, but if not, please consider sending this letter. We need to have a say before all is finalized.

The DEADLINE for responding is MAY 8; don't delay!

Thank you,  
A concerned Del Webb resident  
and neighbor

- Nancy Bedney  
1779 Dogwood Glen Way  
Manteca, Ca 95336  
4/22/23

B-1

City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis

RE: Indelicato Property Subdivision Project

In response to your notice of the Mitigated Negative Declaration/Initial Study, we have these concerns and questions:

1. Will existing fences on the perimeter of adjacent property be a common fence for new construction/residences? B-2

2. Will homes along the perimeter be single level/one story? This should be a major consideration of the owners, designers, contractors, and builders in order to maintain and protect the privacy, security, and quietude of the 55+ senior community that is adjacent.

3. Is grading and construction being planned so that there will not be a concern regarding drainage flowing into back yards and homes in the adjacent community. B-3

4. What will be the rules and regulations for landscaping? The adjacent community limits the type of trees allowed for planting in order to insure there is no cracked and broken concrete, driveways and sidewalks, sprinkler systems, and sewage drains. Also, trees MUST be planted at least five feet away from fences. B-4

5. During construction, will property be watered down often to limit the amount of dust and dirt from blowing? B-5

Please consider these concerns important issues when reviewing the plans for this new subdivision. B-6

Thank you,

## RESPONSE TO COMMENTS

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The DEADLINE for responding is MAY 8; don't delay!

Thank you,  
A concerned Del Webb resident  
and neighbor

Respectfully yours,  
Deborah L. Deha Cruz  
2631 Fern Meadow Ave  
Manteca, Ca 95336  
Del Webb community



City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis

RE: Indelicato Property Subdivision Project

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Thank you,

## RESPONSE TO COMMENTS

City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

4-25-23

Attention: Deputy Director-Planning  
Lea C. Simvoulakis

RE: Indelicato Property Subdivision Project

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Please consider these concerns important issues when reviewing the plans for this new subdivision.

Thank you,

*Spj-Hurlbut*  
2707 Fern Meadow Ave  
Manteca CA 95336

City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis


RE: Indelicato Property Subdivision Project


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Please consider these concerns important issues when reviewing the plans for this new subdivision.

Thank you,

 4/24/23  
 ROBERT J. REYNOLDS  
 408-832-0846

 4/24/23  
 SHIRLEY ANN REYNOLDS  
 408-832-0534

RESIDENCE: 2536 CHIMNEY POINT LANE  
 MANTECA, CA 95336

## RESPONSE TO COMMENTS

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City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis

RE: Indelicato Property Subdivision Project

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Please consider these concerns important issues when reviewing the plans for this new subdivision.

Thank you,

Cheryl Grady  
1687 Arbor Brook Dr.  
Manteca, 95336  
April 25, 2023

City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis

RE: Indelicato Property Subdivision Project

In response to your notice of the Mitigated Negative Declaration/Initial Study, we have these concerns and questions:

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Thank you,



1733 DOGWOOD GLEN WAY  
MANTECA CA 95336

## RESPONSE TO COMMENTS

*April 23, 2023*

City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

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Lea C. Simvoulakis

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Thank you,

*R. D. Amity*  
*Marilyn S. Armstrong*  
*1955 Shady Oak St.*  
*Manteca, CA 95336*

*Del Webb Woodbridge*  
*LOT #- 665*

City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis

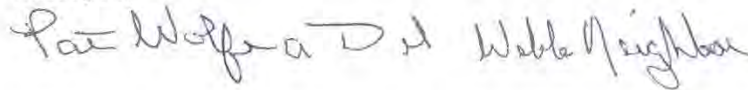
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Thank you,

A handwritten signature in black ink that reads "Pat Wofford" followed by a stylized flourish and the words "Wable Neighbor".

## RESPONSE TO COMMENTS

City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis

RE: Indelicato Property Subdivision Project

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Thank you,

*Donald A. Harris*

*4/24/23*





City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

4/22/2023

Attention: Deputy Director-Planning  
Lea C. Simvoulakis

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Thank you,

*MJ Machado*  
*Debbie Machado*  
Mike + Debbie Machado  
1969 Shady Oak St.  
Manteca, CA 95336  
(510) 918-5168

## RESPONSE TO COMMENTS

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City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
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Thank you,

*Cindy K. Jackson*  
4-22-23

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Thank you,

*Edwina Rich*  
1797 DOGWOOD GLEN WAY  
MANTECA, CA. 95336

*Michael Rich*  
1797 Dogwood Glen Way  
Manteca, Ca. 95336

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Thank you,

*Charles and Nancy Pew*  
2747 FERN MEADOW AVE  
MANTECA, CA 95336

City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

4/25/23

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Thank you,

Bill + Linda Miller  
2623 Fern Meadow Ave  
Manteca Ca 95336  
LOT #542

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1215 West Center Street, Suite 201  
Manteca, CA 95337

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Thank you,

Ed & Marietta Araya



Resident Address:

2619 Fern Meadow Ave.  
Manteca, CA 95336

City of Manteca  
1215 West Center Street, Suite 201  
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Thank you,

*Roger Gibson*  
*Ann Gibson*  
Ann Gibson  
*Ann L. Gibson*

*2061 Shady Oak St  
Manteca, CA 95336*

## RESPONSE TO COMMENTS

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City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis

RE: Indelicato Property Subdivision Project

In response to your notice of the Mitigated Negative Declaration/Initial Study, we have these concerns and questions:

1. Will existing fences on the perimeter of adjacent property be a common fence for new construction/residences?
2. Will homes along the perimeter be single level/one story? This should be a major consideration of the owners, designers, contractors, and builders in order to maintain and protect the privacy, security, and quietude of the 55+ senior community that is adjacent.
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4. What will be the rules and regulations for landscaping? The adjacent community limits the type of trees allowed for planting in order to insure there is no cracked and broken concrete, driveways and sidewalks, sprinkler systems, and sewage drains. Also, trees MUST be planted at least five feet away from fences.
5. During construction, will property be watered down often to limit the amount of dust and dirt from blowing?

Please consider these concerns important issues when reviewing the plans for this new subdivision.

Thank you,





4/26/2023

City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis


RE: Indelicato Property Subdivision Project

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Please consider these concerns important issues when reviewing the plans for this new subdivision.

Thank you,

  
Patrick McDonald  
2025 Shady Oak St.  
Manteca, CA 95336

## RESPONSE TO COMMENTS

City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis

RE: Indelicato Property Subdivision Project

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5. During construction, will property be watered down often to limit the amount of dust and dirt from blowing?

Please consider these concerns important issues when reviewing the plans for this new subdivision.

Thank you,

*Cynthia Thompson*  
*2715 Fern Meadows Ave.*  
*Manteca, CA 95336*

*mailed - 4/24/23 - my address was left off of the first one.*  
*CT*

City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis

RE: Indelicato Property Subdivision Project

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5. During construction, will property be watered down often to limit the amount of dust and dirt from blowing?

Please consider these concerns important issues when reviewing the plans for this new subdivision.

Thank you,

*Martina Wilson*  
2741 Fern Meadow Ave  
Manteca, Ca. 95336

## RESPONSE TO COMMENTS

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City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis

RE: Indelicato Property Subdivision Project

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5. During construction, will property be watered down often to limit the amount of dust and dirt from blowing?

Please consider these concerns important issues when reviewing the plans for this new subdivision.

Thank you,

*Arinda Kay Snyder*  
*1751 Dogwood Way*  
*Manteca, Ca*  
*408-298-5790*

25 May 2023

City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis

RE: Indelicato Property Subdivision Project

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Thank you,

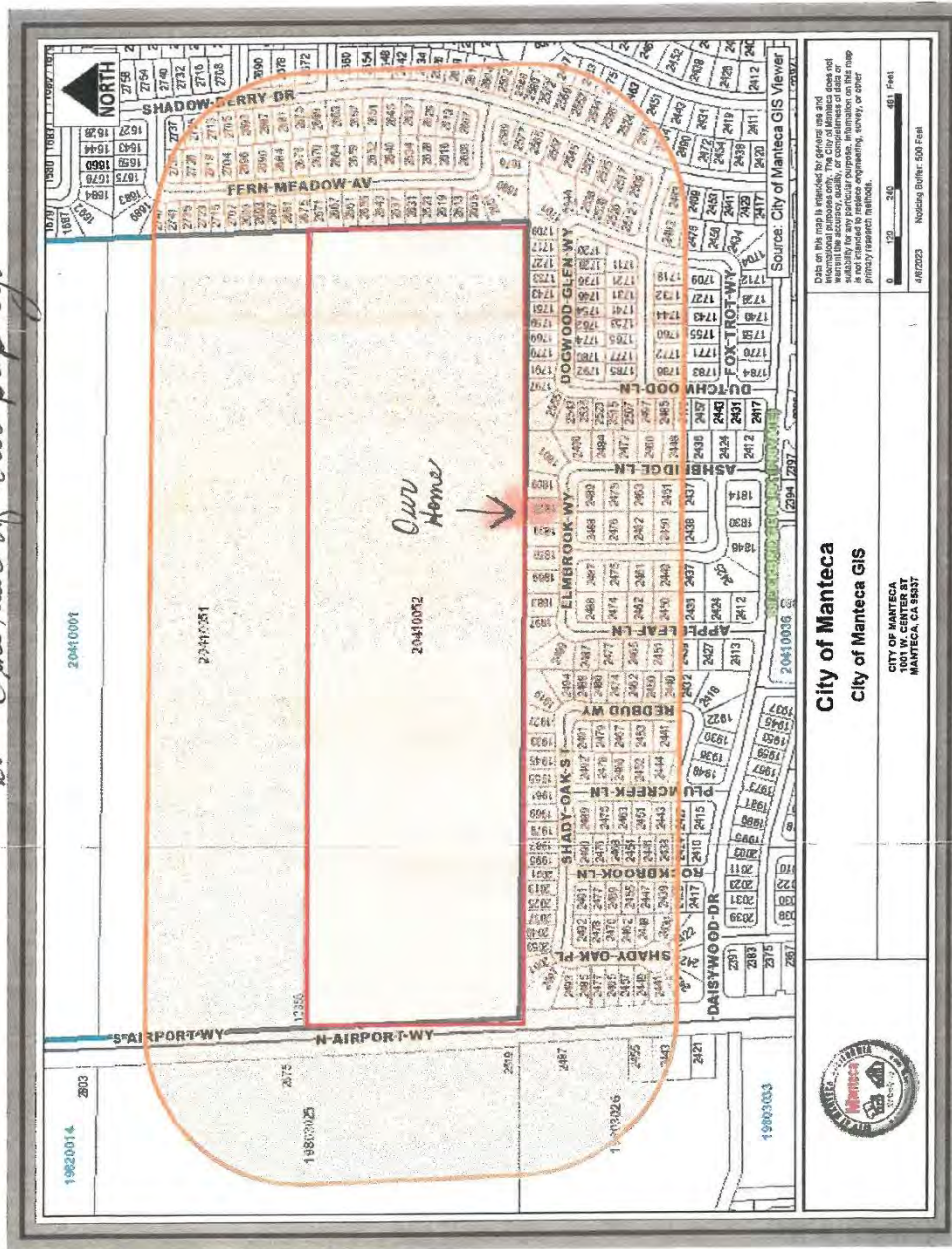
*James J. Germaine*  
1823 Elmbrook Way  
Manteca, CA 95336  
(209) 328-1150

RESPONSE TO COMMENTS

*As you can see, our home will be directly affected by the proposed development. We purchased our home mainly due to the fact we wouldn't have neighbors to the rear of our property.*

Jo Ann Germaine  
1823 Elmbrook Way  
Manteca, CA 95336

*200' x 60' x 80' x 40'*



City of Manteca GIS Viewer  
1001 W. CENTER ST  
MANTECA, CA 95337

City of Manteca GIS  
City of Manteca GIS  
1001 W. CENTER ST  
MANTECA, CA 95337

City of Manteca GIS  
City of Manteca GIS  
1001 W. CENTER ST  
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City of Manteca  
1215 West Center Street, Suite 201  
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Attention: Deputy Director-Planning  
Lea C. Simvoulakis

RE: Indelicato Property Subdivision Project

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5. During construction, will property be watered down often to limit the amount of dust and dirt from blowing?

Please consider these concerns important issues when reviewing the plans for this new subdivision.

Thank you,

*Randall Wilcox*  
2973 COTTON BARRIE LANE  
4/27/23  
MANTECA CA 95336

## RESPONSE TO COMMENTS

---

City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis

RE: Indelicato Property Subdivision Project

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Please consider these concerns important issues when reviewing the plans for this new subdivision.

Thank you,

*Margie Williams*  
2973 COTTON BRIAR LANE  
MANTECA CA 95336  
4/27/23



4/27/2023

City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis


RE: Indelicato Property Subdivision Project

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Please consider these concerns important issues when reviewing the plans for this new subdivision.

Thank you,

  
Margaret Kimura  
1839 Altonbrook Way  
Manteca, CA 95336

## RESPONSE TO COMMENTS

---

City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis


RE: Indelicato Property Subdivision Project

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Please consider these concerns important issues when reviewing the plans for this new subdivision.

Thank you,

  
1809 ELM BROOK WAY  
MANTECA 95336  
4-30-2023



*April 28, 2023*

City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis

RE: Indelicato Property Subdivision Project

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5. During construction, will property be watered down often to limit the amount of dust and dirt from blowing?

Please consider these concerns important issues when reviewing the plans for this new subdivision.

Thank you,

*Deanna Langworthy*

## RESPONSE TO COMMENTS

---

City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis


RE: Indelicato Property Subdivision Project

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Please consider these concerns important issues when reviewing the plans for this new subdivision.

Thank you,

  
SANTI AROELLAN  
2735 FERN MENDOZA AVE  
Del Webb Resident

City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis

RE: Indelicato Property Subdivision Project

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Please consider these concerns important issues when reviewing the plans for this new subdivision.

Thank you,

*Mercede Foster*  
*2423 Fern Meckow*  
*Manteca, CA 95336*

## RESPONSE TO COMMENTS

---

City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis

RE: Indelicato Property Subdivision Project

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Please consider these concerns important issues when reviewing the plans for this new subdivision.

Thank you,

FRANK LUCERO  
1611 River Birch St  
Manteca 95336

City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis

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Please consider these concerns important issues when reviewing the plans for this new subdivision.

Thank you,

John Lennert  
Diane Lennert  
1541 River Birch St  
Manteca, CA 95336


## RESPONSE TO COMMENTS

---

City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis

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Thank you,



Mr. & Mrs. Verduzco  
1589 River Birch St.  
Manteca, CA 95336



City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis

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Please consider these concerns important issues when reviewing the plans for this new subdivision.

Thank you,

*Nancy C. Berger*  
*RC Berger*

*1933 Shady Oak St. in Woodbridge Del Webb*

## RESPONSE TO COMMENTS

---

City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis

RE: Indelicato Property Subdivision Project

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Thank you,

*Jon W. Ford & Deborah Ford*  
1948 Shady Oak St

City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis

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Please consider these concerns important issues when reviewing the plans for this new subdivision.

Thank you,



*Roger D. Mooghan*  
*Judith Lee Goodnow*

## RESPONSE TO COMMENTS

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April 21, 2023

Howard Lewis  
Irma McKay-Lewis  
1727 Dogwood Glen Way  
Manteca, CA 95336

City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis

RE: Indelicato Property Subdivision Project

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Thank you,



Irma McKay-Lewis  
H C Lewis

City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

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Lea C. Simvoulakis

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Please consider these concerns important issues when reviewing the plans for this new subdivision.

Thank you,

*Andrew Elaine Edmonson*  
2988 CLEAR POINT WAY  
MANTOCA CA 95336

## RESPONSE TO COMMENTS

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4/28/2023

City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis

RE: Indelicato Property Subdivision Project

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Thank you,

*David & Carolyn Bray*

City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

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Lea C. Simvoulakis

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4. What will be the rules and regulations for landscaping? The adjacent community limits the type of trees allowed for planting in order to insure there is no cracked and broken concrete, driveways and sidewalks, sprinkler systems, and sewage drains. Also, trees MUST be planted at least five feet away from fences.
5. During construction, will property be watered down often to limit the amount of dust and dirt from blowing?

Please consider these concerns important issues when reviewing the plans for this new subdivision.

Thank you,

*Bob + Laverne Onorato*

Dear Homeowner,

Attached, you will find a letter in response to the notice sent to us by the City of Manteca regarding the Indelicato Property Subdivision Project. Listed are some concerns regarding the project and construction.

Since there is no open forum for us to voice our concerns, please consider signing your name, address, and date, and returning the attached letter to the City of Manteca to the attention of Deputy-Director Planning, Lea Simvoulakis.

You may have other questions or concerns and have sent your own response, but if not, please consider sending this letter. We need to have a say before all is finalized.

The DEADLINE for responding is MAY 8; don't delay!

Thank you,  
A concerned Del Webb resident  
and neighbor

*Judith Legas  
1469 Arbor Brook Dr.  
Manteca, Ca. 95336  
April 27, 2023*



City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis

RE: Indelicato Property Subdivision Project

In response to your notice of the Mitigated Negative Declaration/Initial Study, we have these concerns and questions:

1. Will existing fences on the perimeter of adjacent property be a common fence for new construction/residences?
2. Will homes along the perimeter be single level/one story? This should be a major consideration of the owners, designers, contractors, and builders in order to maintain and protect the privacy, security, and quietude of the 55+ senior community that is adjacent.
3. Is grading and construction being planned so that there will not be a concern regarding drainage flowing into back yards and homes in the adjacent community.
4. What will be the rules and regulations for landscaping? The adjacent community limits the type of trees allowed for planting in order to insure there is no cracked and broken concrete, driveways and sidewalks, sprinkler systems, and sewage drains. Also, trees MUST be planted at least five feet away from fences.
5. During construction, will property be watered down often to limit the amount of dust and dirt from blowing?

Please consider these concerns important issues when reviewing the plans for this new subdivision.

Thank you,



## RESPONSE TO COMMENTS

---

City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis

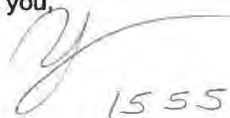
RE: Indelicato Property Subdivision Project

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2. Will homes along the perimeter be single level/one story? This should be a major consideration of the owners, designers, contractors, and builders in order to maintain and protect the privacy, security, and quietude of the 55+ senior community that is adjacent.
3. Is grading and construction being planned so that there will not be a concern regarding drainage flowing into back yards and homes in the adjacent community.
4. What will be the rules and regulations for landscaping? The adjacent community limits the type of trees allowed for planting in order to insure there is no cracked and broken concrete, driveways and sidewalks, sprinkler systems, and sewage drains. Also, trees MUST be planted at least five feet away from fences.
5. During construction, will property be watered down often to limit the amount of dust and dirt from blowing?

Please consider these concerns important issues when reviewing the plans for this new subdivision.

Thank you,

 Yolanda Rodeland  
1555 River Birch St.  
Manteca, CA. 95336

May 4, 2023

City of Manteca  
1215 West Center Street, Suite 201  
Manteca, CA 95337

Attention: Deputy Director-Planning  
Lea C. Simvoulakis

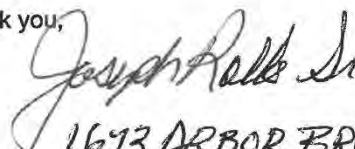
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5. During construction, will property be watered down often to limit the amount of dust and dirt from blowing?

Please consider these concerns important issues when reviewing the plans for this new subdivision.

Thank you,

  
1673 ARBOR BROOK DR  
MANTECA CA 95336

5-3-2025

### **Response to Letter B: Del Webb Neighbors**

**Response B-1:** The commenter includes an introduction page to the attachment. The attachment includes a form letter which was duplicated and signed by the following members of the Del Webb community:

1. Nancy Behney
2. Deborah L. De La Cruz
3. Joy Hurlbut
4. Robert and Shirley Reynolds
5. Cheryl Grady
6. John Green
7. Robert and Marlyn Armstrong
8. Pat Wolfe
9. Donald Harris
10. Michael and Debra Machado
11. Cindy Jackson
12. Edwina and Michael Rich
13. Charles and Nancy Pew
14. Bill and Linda Miller
15. Ed and Marietta Araya
16. Roger Gibson
17. Cynthia Thompson (2)
18. Patrick McDonald
19. Mariana Wilson
20. Anita Snyder
21. James Germaine
22. Jo Ann Germaine
23. Randall William
24. Maggie William
25. Ben and Margaret Kimura
26. Perry Gibson
27. Deanna Langworthy
28. Santi Afrolan
29. Mercedes Foote
30. Frank Lucerno
31. John and Diane Lennert
32. Julie Verduzco
33. Ronald and Nancy Berger
34. Jon and Deborah Ford
35. Rodger and Judith Goodnow
36. Irma Lewis
37. Andrew Edmanor
38. David and Carolyn Bray
39. Bob and LaVerne Onorato
40. Judith Legos
41. Mike and Sandra Raubenher
42. Yolanda Rodelander
43. Joseph Relks

The responses to the listed concerns in the form letter are included in Responses B-2 through B-6.

**Response B-2:** The commenter provides an introductory statement, questions if existing fences will be a common fence for the new residences, and questions if homes along the perimeter will be single-story.

While the comment does not address environmental concerns, adequacy of the IS/MND, or compliance with CEQA, this comment is noted for its design concerns and has been forwarded to the decision-makers for their consideration of topics beyond the adequacy of the IS/MND.

It is noted that, in response to the design concerns of this commenter and other Woodbridge residents, the Project proponent met with various Woodbridge representatives to discuss their design concerns and to compromise on key issues. As part of this dialogue, Project proponent has agreed that all lots immediately adjacent to the existing Woodbridge development shall be restricted to single-story homes. This agreement was not warranted to mitigate a CEQA impact, but instead represents the Project proponent's good faith effort to respond to design concerns of neighbors.

**Response B-3:** The commenter questions if grading and construction would be planned to avoid drainage flowing into their back yards and homes in adjacent communities.

Impacts associated with stormwater and drainage are discussed in Section X, Hydrology and Water Quality, on pages 64 and 65 of the IS/MND. As discussed, drainage improvements associated with the Project site would be located on the Project site, and the proposed Project would not alter or adversely impact offsite drainage facilities. The proposed Project would increase impervious surfaces throughout the Project site from new concrete and paved surfaces, as well as the residences. The proposed Project would require the installation of storm drainage infrastructure to ensure that storm waters properly drain from the Project site. The proposed storm drainage plan includes an engineered network of storm drain lines, manholes, inlets, and a water quality basin. The storm drainage plan was designed and engineered to ensure proper construction of storm drainage infrastructure to control runoff and prevent flooding, erosion, and sedimentation. The City Engineer reviews all storm drainage plans, including the calculations that are generated as part of the engineering of the planned infrastructure, as part of the improvement plan submittal to ensure that all facilities are designed to the City's standards and specifications. The City Engineer also reviews all storm drainage plans to ensure that post-project runoff does not exceed pre-project runoff. The City Engineer's review of pre- and post-project runoff is intended to ensure that the capacity of the existing storm drainage system is not exceeded. This determination is ultimately made by the City Engineer during the improvement plan review and approval. The City Engineer has been involved in the review of all project plans and calculations from project inception.

Additionally, the proposed Project is subject to the requirements of Chapter 13.28 of the Manteca Municipal Code – Stormwater Management and Discharge Control. The purpose of these requirements is to “establish minimum storm water management requirements

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

Stormwater infrastructure is also discussed in Section XIX, Utilities and Service Systems, on pages 109 and 110 of the IS/MND. As discussed, because the Project site could increase runoff significantly, and create downstream drainage problems, Project impacts to stormwater were considered potentially significant. Mitigation Measures UTIL-1 was developed to address this potentially significant impact. This measure requires the Project applicant to submit a drainage plan to the City of Manteca for review and approval. The plan must include an engineered storm drainage plan that demonstrates attainment of pre-Project runoff requirements prior to release at the storm drainage outlet and describes the volume reduction measures and treatment controls used to reach attainment consistent with the Manteca Storm Drain Master Plan. With the implementation of a storm drainage that meets all city standards as outlined in the measure, the impact would be reduced to an insignificant level.

**Response B-4:** The commenter questions what the rules and regulations will be for landscaping. The commenter also discusses tree planting methods to ensure concrete and underground infrastructure is maintained.

As discussed in the IS/MND, landscaping would be provided as part of the Project. The Project would be subject to the City's Landscaping Ordinance (Chapter 17.48 of the Municipal Code). Section 17.48.040 of the Code outlines planting size, spacing, and widths, including provisions for trees which abut residential property. This ordinance as designed to regulate landscaping in the city and effectively addresses concerns raised by the commenter.

**Response B-5:** The commenter questions if the property will be watered down during construction to limit dust and dirt.

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

Control measures are required and enforced by the SJVAPCD under Regulation VIII. The SJVAPCD considers construction-related emissions from all projects in this region to be mitigated to a less than significant level if SJVAPCD-recommended PM10 fugitive dust rules and equipment exhaust emissions controls are implemented. The proposed Project would be required to comply with all applicable measures from SJVAPCD Rule VIII. This rule includes measures that may include watering the soils, and other soil stabilizing methods. Watering the soil is the most common and economically feasible soil stabilizing method used by contractors in Manteca and is the method anticipated for the proposed Project.

**Response B-6:** This comment serves as a conclusion to the letter and does not warrant a response.

This comment is noted. No further response is necessary.

## RESPONSE TO COMMENTS

Manteca Development Services Department  
Attn: Lea Simvoulakis, Deputy Director-Planning

April 27, 2023

Letter of Concerns and Comments  
Reference: Kiper Homes at Indelicato

Ms. Simvoulakis,

I am a long-time homeowner in Woodbridge and a past Director of the Woodbridge Owners Association. I was delighted to hear that Kiper Homes was planning a single-family development to the north, abutting my Woodbridge neighbors. This is a long anticipated and welcomed project. It, along with Villa Ticino, Union Ranch North and few other projects under discussions, with likely encourage more nearby retail and service business development, possibly a destination restaurant and specialty food stores.

The initial information about Indelicato was basic. A meeting was organized with Kiper senior staff and a few Woodbridge homeowners and a representative from a group of land-owners to the north. The Kiper reps were courteous, business-like and frank. Details became clear: the new houses would all be two-story and those abutting Woodbridge would have a clear line-of-sight into our backyards, the City rejected the Pulte promised buffer green space between Woodbridge and future developments to the north, only "good-neighbor" fences (6' wood) would be installed, the 21/2' change in lot elevations between Woodbridge and Indelicato was marginalized by Kiper as a minor slope, the plan depicts several dead-end streets exiting to the north onto the 40 ac property not within the City and not owned nor optioned by Kiper, the projects internal circulation is a loop with restricted right-in and right-out onto Airport and Kiper had no knowledge about future developments to the north that may involve a roadway between Airport and Union that may parallel the northern most boundaries of Woodbridge and have signal controlled intersection(s) at Union and/or Airport. The representative from the nearby property owners was opposed to the project primarily because it was not part of an inclusive plan of development for the potential LDR parcels bounded by Woodbridge, Airport, Lovelace and Union.

Woodbridge's character and my opinions needs some comments to develop context. Pulte developed Woodbridge as a HOPA compliant community. The homes were all ranch style. We were provided with ample amenities and we were insulated not isolated from other neighborhoods. Our homes sold for and continue to sell for higher per square foot levels than comparable homes elsewhere in Manteca. We paid for our backyard privacy and have jealously defended it from casual prying eyes. Pulte built a tall CMU wall between the existing properties on the N/E and The Commons along with buffer zones and tall trees. We were told there would be buffers installed between Woodbridge and neighboring developments as they occurred.

We defended our assured life style and insulation from two-story prying eyes. We initiated and secured the only City Council approved amendments to the URSP to prohibit two-story houses along Union in Union Ranch East. We lobbied in support of modifications to the Tidewater Apartments (formerly Woodbridge Apartments) design to require step-downs of three-story building heights as they neared existing single-family housing, mostly single-story. We successfully lobbied for a reorganized placement of Manteca Luxury Apartment buildings, step-

C-1



down of three-story buildings as they neared Woodbridge and prohibited any windows on the north side of the closest buildings. Our HOA, on its own initiative, paid to install a gate to prohibit general access to CMU parcels to the south. We want to be insulated not isolated from new neighbors.

We were told at our meeting with Kiper, that the City rejected the concept of a buffer/open-space between Indelicato and Woodbridge based upon fees associated with an LMD. There were several awkward pauses about the City's vision of development on the parcels up to Lovelace.

I do not speak for all the residents of Woodbridge and most certainly not our HOA, but I do believe I represent a common vision. I want the project to proceed. I want significant mitigation of vision trespass from second stories vantages by either (or combinations of) requiring only single-story homes, insertion of an open-space corridor along the Woodbridge boundary, install an eight-foot CMU wall along project's perimeter with Woodbridge, if two-story homes are allowed and adjacent to Woodbridge, minimize the quantity and size, as well as, maximizing the floor to bottom edge of the window distance.

I do look forward to your comments.

Mike Spence  
Woodbridge  
Manteca, CA

C-1  
cont'd

**Lea C. Simvoulakis, Deputy Director-Planning**  
City of Manteca | Development Services Department  
1215 W. Center St., Suite 201 | Manteca, CA 95337  
Office: 209.456.8516

### **Response to Letter C:      Mike Spence**

**Response C-1:** The commentor states background information regarding the design of the Project and discussions between the nearby neighbors, the Project applicant, and the City. The commentor also discusses the Union Ranch Specific Plan design. The commentor concludes by requesting mitigation of vision trespass from second stories vantages by either (or combinations of) requiring only single-story homes, insertion of an open-space corridor along the Woodbridge boundary, installation of an eight-foot concrete masonry unit (CMU) wall along project's perimeter with Woodbridge, if two-story homes are allowed and adjacent to Woodbridge, minimize the quantity and size, as well as, maximizing the floor to bottom edge of the window distance.

The comment does not address the adequacy of the IS/MND, or compliance with CEQA. Instead, this comment expresses design concerns from the potential visibility of new residents in second stories having visibility into the existing resident's yards/homes. These concerns along with the recommendations for ameliorating the concerns are noted and have been forwarded to the decision-makers for their consideration of topics beyond the adequacy of the IS/MND.

It is noted that, in response to the design concerns of this commentor and other Woodbridge residents, the Project proponent met with various Woodbridge representatives to discuss their design concerns and to compromise on key issues. As part of this dialogue, Project proponent has agreed that all lots immediately adjacent to the existing Woodbridge development shall be restricted to single-story homes. This agreement was not warranted to mitigate a CEQA impact, but instead represents the Project proponent's good faith effort to respond to design concerns of neighbors.

**From:** [Bill Barnhart](#)  
**To:** [Simvoulakis, Lea](#)  
**Cc:** [John Bowers](#); [Frances Ramos](#); [Paradis, Michelle](#); [Dennis Barta](#); [Gillum, Russ](#); [Spence, Mike](#); [Erias, Chris](#)  
**Subject:** Issues With Indelicato/Kiper Development  
**Date:** Sunday, April 30, 2023 10:36:07 AM  
**Attachments:** [Manteca\\_Development\\_Services\\_letter\\_4-30-2023.pdf](#)

**WARNING!** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms Simvoulakis,

I'm sending you the attached letter which addresses several issues that I believe need further study and mitigation to reduce/eliminate very significant impacts on the Woodbridge community, the eventual Kiper Development residents themselves, and the Manteca Unified School District. I would appreciate a response to each of these issues be included in the EIR for this development.

D-1

Please acknowledge receipt of this correspondence by return email.

Thank you,

Bill Barnhart  
1325 Maple Valley St.  
Manteca, CA 95336

Manteca Development Services Department  
Attn: Lea Simvoulakis, Deputy Director-Planning

April 30, 2023

Discussion Letter of Concerns and Request for Additional Mitigation Measures  
Reference: Kiper Homes at Indelicato

Ms. Simvoulakis,

After meeting with Kiper representatives on April 18<sup>th</sup>, and subsequent meetings with other major land owners to the north of the Indelicato property, as well as with a high level MUSD representative, several issues were identified which I feel need further mitigation to reduce them from having a very significant impact on not only the Woodbridge Community but also on further development to the north. As a member of the 2023 General Plan Advisory Committee, I am aware the General Plan cites many situations requiring consideration/mitigation for when existing and/or future conditions do/may exist that could result in significant impacts to the surrounding area. I believe a more thorough review of the Indelicato project and mitigation efforts must be undertaken in regards to the following issues:

D-2

### **Issue: Two-Story homes back-to-back with Woodbridge**

Pulte was required to place 8' to 12' block wall around most of Woodbridge:

- 8' on western border along Airport Way
- 8' – 12' along southern border from Fire Station all along CMU area, behind Commons at Union Ranch to Union Rd including gates for fire access and extra wide gate for City utility maintenance
- 8' on eastern border along Union
- 10 – 12' along north/eastern border surrounding back side of preexisting homes
- 8' southern border frontage on Lathrop Rd
- The only areas without an 8' to 12' block wall are: i) the southern side of Stockbridge Park to the west side of Panda Park and ii) the northern side abutting what is now the Indelicato property. Pulte had an option on the land to the south and to the north, fully intending if the housing market hadn't tanked, to expand Woodbridge into those two areas. Thus, it was only fenced with a six foot vinyl fence.

D-3

Green Belts:

- Pulte was required to put greenbelt along the entire southern border of Woodbridge, eastern and western borders abutting Union Rd and Airport Way, including standard landscaping and very tall trees.

pg. 1

- According to Kiper representatives, they had proposed having a green belt along their border with Woodbridge but they indicated the City nixed that proposal because the City didn't want to have to maintain it.

Precedents:

- Pulte block wall and green belts as described above.
- Actions by Woodbridge residents resulting in an amendment to the Union Ranch Specific Plan prohibiting two-story homes backed up to the east side of Union Rd.
- Actions by Woodbridge residents halting the development of the Luxury Apartments on Lathrop Rd backed up to Woodbridge for a period of nearly four years until the developer agreed to a step-down of the third level apartment on all buildings and the prohibition of any windows on the north end of the apartment complex.
- Horton development southeast corner of Main and Northgate streets has one block backed up to an established neighborhood. Horton either was required or voluntarily built only single-story homes on 70' lots on this one side of one block so there would be no line-of-sight into the established neighborhood. All remaining homes are two-story.

D-3  
cont'd

We here at Woodbridge demand the same fencing/wall requirements be levied on abutting developments that were required of our Woodbridge development when it was built so that we are not significantly impacted. We also demand to be given the same considerations relative to two-story homes back-to-back with us, that other established neighborhoods in Manteca have been given.

**Issue: Bussing of Grade School Students**

- We here at Woodbridge successfully lobbied for a bus pull-out area on the north side of Lathrop Rd to pickup up the grade school students from the Luxury Apartments.
- The development on Airport Way between Louise and the Railroad tracks was required to have a bus pull-out area on Airport Way and this location is even set-off quite a distance from the traffic.
- The Horton development has a specific built-in bus pickup area.

D-4

There will be a definite significant safety impact with a potential for injury of school kids if the bus does not have a pullout from which to safely load/unload the school kids. For the grade school students there should be a bus pull-out required for this Indelicato development to mitigate this significant safety impact.

pg. 2

**Issue: Park Completed prior to Home Sales**

- Absent completion of the park, the nearest recreational area will be our Woodbridge private parks. I have been told by other developers the City requires parks to be build at the point they have pulled approx. 25% of the permits for the entire development.
- MUSD estimates there will be 90 K-12 kids and these kids will need a recreational area immediately available. Otherwise they will be trespassing on private property here in Woodbridge which is going to cause/consume a lot of police department time to address.

D-5

The park in this Kiper/Indelicato development needs to be completed before the first home sales to help mitigate what we feel would be a very significant impact on our private parks here in Woodbridge.

**Issue: Right In and Right Out Only**

- This development will encounter far, far less traffic than the following intersections where the City allows Left in and Left out turns in addition to Right In and Right Out turns without it being a signalized intersection:  
  
Madison Grove and Lathrop Road  
Glen Forest Drive and Union Road  
Shady Pines and Union Road  
Misone Road and Airport Way
- Kiper has indicated they proposed modifications that they would pay for that would allow for left turns in and out of the development but that the City nixed that proposal and is requiring placement of a median that would eliminate that possibility.
- Right in and Right Out only will necessitate increased traffic transiting on both Lovelace and Union Road for most activities of the residents of the Kiper development. Even grocery shopping would necessitate such a route. It will likely be decades before any other route is established.

D-6

The main entrance/exit of this development should have both right and left access to eliminate a significant impact on the residents of that development. The necessity of traveling north to make a U turn at Lovelace/Airport Way, or transiting Lovelace eastward to Union, for simple daily activities is nonsensical.

pg. 3

**Issue: This property should be part of a master planned area which includes multiple types of residential from single family residential to multi family residential, commercial, and quasi-public areas.**

- This is one of the best areas in the entire City of Manteca for a master planned development. Most of the land owners are already on-board with this idea. It makes no sense to piecemeal develop this area with no master plan guiding it.
- In personal discussions with major land owners, Tallerico and Cardoza families, these land owners are prepared to self develop with local builders that entire area as a Master Planned Community. They have actually prepared preliminary plans, including extension of Roth Road and incorporating to the north the industrial areas being proposed by the City in the latest update to the General Plan.

D-7

For the long term best benefit for the City, this entire area should be developed under the guidance of a Master Plan. Otherwise piecemeal development is just a slippery slope that the City won't be able to control to the detriment of all residents and other land owners in the general area.

I appreciate your time and effort to reevaluate the Indelicato/Kiper development in consideration of possible mitigation of what I consider to be very significant impacts on Woodbridge, the Schools, and the future residents of that development.



Bill Barnhart  
1325 Maple Valley St  
Manteca, CA 95336  
bill.barnhart@mrbcconsulting.us

pg. 4

## RESPONSE TO COMMENTS

**From:** [Bill Bamhart](#)  
**To:** [Simvoulakis, Lea](#)  
**Cc:** [John Bowers](#); [Frances Ramos](#); [Paradis, Michelle](#); [Dennis Barta](#); [Gillum, Russ](#); [Spence, Mike](#); [Erias, Chris](#); [Morowitz, Mike](#); [Singh, Gary](#); [Doug Ledebauer](#); [Michael Kiper](#); [Tallerico, Louie](#)  
**Subject:** Re: Issues With Indelicato/Kiper Development  
**Date:** Friday, May 5, 2023 3:18:19 PM  
**Attachments:** [Kiper Homes Letter re Woodbridge Concerns - 5-5-2023.pdf](#)  
[Manteca Development Services letter 4-30-2023.pdf](#)

**WARNING!** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms Simvoulakis,

I am in receipt of a letter from Kiper Homes, dated May 5, 2023, copy attached in which they agree to mitigate all the issues we had at Woodbridge that were foreseen to have a negative impact on our Woodbridge community. The purpose of my correspondence is to withdraw all related concerns I expressed in my Discussion Letter... of April 30, 2023. In summary, Kiper Homes have committed to:

- Building only single-story homes along their entire boundary with Woodbridge. They will design a total of five different single-story house plans for this development. This will negate any need for a green belt or constructing a block wall between their homes and ours and I am withdrawing my concerns regarding these issues.
- They have committed to have their park fully installed and available for public use by the point they have pulled permits for 25% of the homes. This will go a long way to mitigate kids coming to Woodbridge parks for recreational purposes. I am withdrawing my concern in this regard.
- They have committed to maintain an elevation differential that will preclude there being any impact on Woodbridge owner lots nor cause any drainage into our lots. Their grade will be no higher than the base of our fence for the full 3,000 foot border. I am withdrawing my concerns regarding the elevation differential.

The two remaining concerns I expressed in my correspondence of April 30th are concerns to me personally and are not related to impacts on the Woodbridge community. The safety of bussed grade school students and the Right Turn In/Out only are issues within the control of City Staff. However, I am positive Kiper Homes would be in complete agreement those issues need to be addressed as I suggested. I will defer to my correspondence of April 30th for my detailed discussion on these two issues which I feel still need to be addressed by the City.

Thank you in advance for your consideration of my concerns and for allowing me to withdraw those concerns which Kiper Homes has committed to mitigate.





May 5, 2023

VIA E-MAIL

Bill Barnhart  
1325 Maple Valley Street  
Manteca, CA 95336  
E-mail: [bill.barnhart@mrbcconsulting.us](mailto:bill.barnhart@mrbcconsulting.us)

Russell Gillum  
1221 Maple Hill Court  
Manteca, CA 95336

Mike Spence  
1740 Fox Trot Way  
Manteca, CA 95336

Lou Tallerico  
11475 S Union Road  
Manteca, CA 95336

Re: Kiper Homes 173-Unit Subdivision – “Indelicato” Property – APN 204-100-520

Gentlemen,

It was a pleasure meeting all of you last month. We appreciate your time discussing our proposed project on the “Indelicato” property, and we understand your concerns on behalf of the surrounding Del Webb community. We’ve spent the past two weeks reviewing each of your comments carefully with our team, and we’ve responded to your key requests below:

1. **Two-Story Homes**

As we understand it, your foremost concern is the possibility of two-story homes abutting the single-story Woodbridge homes along our mutual boundary. It has certainly been our intention to develop this subdivision with primarily two-story homes, similar to our other subdivisions in Manteca and Lathrop. Given the depth of these lots, we are confident that we can design a two-story product with a deep rear yard setback that would mitigate any privacy concerns. Based on your feedback, however, we recognize that our Woodbridge neighbors would nonetheless prefer the lots along our boundary to be improved with single-story homes. In order to provide a diversity of floorplans and elevations along our border, this would likely require at least four unique single-story floorplans, rather than just the one single-story floorplan that we originally planned for this project. Provided Woodbridge leadership is agreeable to our responses on your other comments below, we are agreeable to restricting the border lots (shown in attached Exhibit “A”) to single-story homes.

2. **Timing of Park Construction**

If our project’s park construction were to lag too far behind its new home sales, we agree that

Woodbridge's private parks and amenities could potentially become a draw for our residents. Therefore, it is important that our park is constructed as soon as possible to mitigate any impact on Woodbridge. The City of Manteca has imposed the following Condition of Approval on other projects, and we are agreeable to imposition of this condition at our "Indelicato" project:

"Park improvements shall be installed and available to the public prior to the issuance of the first building permit after building permits have been issued for twenty-five percent (25%) of the total number of lots shown on this subdivision's tentative map."

### 3. Masonry Walls

In addition to requesting single-story homes along our boundary with Woodbridge, you have also requested that we construct a masonry wall upon our mutual property line. To the best of our knowledge, the City of Manteca does not require masonry walls where single-family residential abuts single-family residential. In the Woodbridge community, there are countless homes with rear yards abutting the rear yards of other homes that do not feature masonry walls.

Our mutual property line, which runs along our project's southern and eastern borders, is over 3,000 feet. Respectfully, we believe this request to be overly burdensome and, taking into consideration our concession of the two-story issue discussed above, we ask that you please withdraw this comment.

### 4. Green Belt

You explained at our meeting that, many years ago, a previous developer had promised a "green belt" along the property's border with Woodbridge. As you know, we have no affiliation with any prior developers involved in this property, and so we cannot speak to the site plan that they were designing nor the extent to which Planning would have been agreeable to their ideas.

In our case, Planning asked us to locate our green space on our project's northern border, where the park can be expanded north in the future. Because the City will be owning and maintaining 100% of the open/green space in our subdivision, the location of green space was of importance to them (and resulted in numerous site plan redesigns). Accordingly, we do not intend on adding a green belt at this stage.

### 5. Elevations, Grading, and Drainage

You noted that the Indelicato property is at a slightly higher elevation than the Woodbridge property along our border. Pursuant to the City of Manteca's standard conditions of approval, prior to approval of a Final Map developers are required to submit a grading and drainage plan to be reviewed and approved by the Engineering Department.

Yesterday, together with our project engineer, we walked the perimeter of the Indelicato property. Our engineer reviewed the site conditions and is satisfied that our project grade will not have any impact on the lots at Woodbridge, nor cause any drainage into the Woodbridge lots. We will bring grade, at maximum, to the bottom of the existing Woodbridge fence, which will not impact the

existing fence nor require any retaining walls.

We are glad to have met you all, and we hope we've presented a reasonable compromise that satisfies your core concerns. We look forward to continued communication as this project progresses.

Thank you!

Sincerely,



Michael Kiper  
VP/General Counsel  
E-mail: [mkiper@kiperinc.com](mailto:mkiper@kiperinc.com)  
Cell: (925) 683-7053

Exhibit "A"



\* Proposed Single-Story restricted lots along boundary highlighted in blue.

**Response to Letter D: Bill Barnhart**

**Response D-1:** This comment is noted. This comment is an email with an attached letter. It serves as an introduction to the letter and does not warrant a response. No further response is necessary.

**Response D-2:** This comment is noted. This comment serves as an introduction to the letter. See Responses D-3 through D-7.

**Response D-3:** The commenter states that Pulte was required to place 8-foot to 12-foot block walls around most of Woodbridge and place greenbelts along the various site boundaries. The commenter states that the proposed Project does not include greenbelts, and concludes by requesting that the same fencing/wall requirements be levied on abutting developments that were required of the Woodbridge development, and that residential heights for homes backing their residential area be considered.

While the comment does not address environmental concerns, adequacy of the IS/MND, or compliance with CEQA, this comment is noted for its design concerns and has been forwarded to the decision-makers for their consideration of topics beyond the adequacy of the IS/MND.

It is noted that, in response to the design concerns of this commenter and other Woodbridge residents, the Project proponent met with various Woodbridge representatives to discuss their design concerns and to compromise on key issues. As part of this dialogue, Project proponent has agreed that all lots immediately adjacent to the existing Woodbridge development shall be restricted to single-story homes. This agreement was not warranted to mitigate a CEQA impact, but instead represents the Project proponent's good faith effort to respond to design concerns of neighbors. Upon receipt of Developer's letter, the commenter withdrew the statements made in Response D-3.

**Response D-4:** The commenter states that bus pullout areas are included for Woodbridge and a development on Airport Way between Louise and the railroad tracks. The commenter concludes by stating that a safety impact could occur if a pullout is not provided.

As noted on page 84 of the IS/MND, the Project would generate approximately 57 K-6 students, 16 7-8 students, and 35 9-12 students (for a total of 108 students). It is anticipated that between five to ten percent of the students would utilize public transportation, and that the school transit would establish several pickup/drop-off locations within the subdivision, as opposed to on Airport Way. Additionally, school kids walking or riding a bike to school would be anticipated to utilize the sidewalk improvements that would be constructed along the project frontage, travel south on the already developed sidewalk along Airport Way, and then utilize the walking path/trail along the southside of Woodbridge to ultimately connect to Lathrop Road near the London Road intersection. This intersection has an existing signal and crosswalk to

facilitate safe travel. From that intersection there is existing sidewalk and crosswalks to George McParland Elementary School. Alternatively, from Lathrop Road kids could travel eastbound along the existing sidewalks to Union Road, then south to East Union High School. This path has existing signals, crosswalk, and sidewalks to facilitate safe travel.

Any need for a bus turnout along Airport Way would be specifically identified by Manteca Transit. The closest bus stop to the Project site is served by Manteca Transit Route 3 and located at Chadwick Park approximately 1 and  $\frac{1}{4}$  miles away. The traffic report addresses existing transit on page 10 of the traffic report. Generally, curbside transit stops in the study area are identified with posted signs and do not include passenger amenities such as a shelter, seating, landscaping, bicycle parking, or pedestrian-scale lighting. The Manteca Transit does not currently have plans for a route along Airport Way north of Northgate (Route 4). As Manteca Transit considers expanding their current routes, or adding new routes, the existing and planned residences along Airport Road north of Lathrop Road would benefit from a transit route, however, there is not currently any plans.

**Response D-5:** The commenter states that the nearest recreational area will be Woodbridge parks and that the students generated by the Project will need recreational areas immediately. The commenter concludes by stating that the proposed park needs to be completed before the first home sales to help mitigate what they feel would be a very significant impact on our private parks here in Woodbridge.

Impacts associated with recreational facilities are discussed in Section XVI, Recreation, on page 87 of the IS/MND. As discussed, the proposed Project would result in the construction of up to 173 single-family residential homes, which would result in up to an estimated 513 individuals. The City of Manteca General Plan Policy PF-P-49 calls for city park acquisition efforts to be based on the goal of 5 acres of developed neighborhood and community parkland per 1,000 residents within the City parks. Therefore, the estimated new demand for parks generated by the proposed Project is approximately 2.69 acres of new parks. The proposed Project includes the construction of 3.03 acres of new parks, which satisfies the City of Manteca General Plan Policy PF-P-49. However, the City reviews each proposed Project and assigns park credit based on its function and design (i.e. dual use basins do not receive full credit). Park in-lieu fees ultimately fund the construction of new park land to offset the increased demand for these facilities, as required by Mitigation Measure PUBLIC-1.

It is noted that, in response to the design concerns of this commenter and other Woodbridge residents, the Project proponent met with various Woodbridge representatives to discuss their design concerns and to compromise on key issues. As part of this dialogue, Project proponent has agreed that all lots immediately adjacent to the existing Woodbridge development shall be restricted to single-story homes. This agreement was not warranted to mitigate a CEQA impact, but instead represents the Project proponent's good faith effort to respond to design concerns of neighbors. Upon

receipt of Developer's letter, the commenter withdrew the statement made in Response D-5.

**Response D-6:** The commenter states that the main entrance/exit of the proposed Project should have both right and left access to avoid traveling north to make a U-turn at Lovelace Road/Airport Way.

Impacts associated with traffic hazards are discussed on pages 103 and 104 of the IS/MND. No traffic hazards were identified. This comment is noted and will be forwarded to the decision-makers for their consideration of topics beyond the adequacy of the IS/MND.

**Response D-7:** The commenter urges the City to have a master plan for developing the area near Woodbridge. This comment serves as a conclusion to the letter.

While the comment does not address the adequacy of the IS/MND, or compliance with CEQA, this comment is noted and will be forwarded to the decision-makers for their consideration of topics beyond the adequacy of the IS/MND.

It is noted that, in response to the concerns of this commenter and other Woodbridge residents, the Project proponent met with various Woodbridge representatives to discuss their concerns and to compromise on key issues. As part of this dialogue, Project proponent has agreed that all lots immediately adjacent to the existing Woodbridge development shall be restricted to single-story homes. This agreement was not warranted to mitigate a CEQA impact, but instead represents the Project proponent's good faith effort to respond to design concerns of neighbors. Upon receipt of Project proponent's response letter, the commenter withdrew the statements made in Response D-7.

To: Lea C. Simvoulakis

Deputy Director – Planning City of Manteca

[lsimvoulakis@ci.manteca.ca.us](mailto:lsimvoulakis@ci.manteca.ca.us)

Subject: Property development proposal near Del Webb

Date: 30 April 2023

I will make my statement short and to the point:

I don't want kids walking to and from school going through our community. They will litter, loiter, smoke and raise a high level of unnecessary noise etc etc...

They are kids what else would we expect of kids.

They would also be hanging out at our private community parks and will litter, loiter, smoke and again raise a high level of unnecessary noise etc etc....

Again, they are kids what else would we expect of kids.

Last, but not least I would pose this question to you:

Based on the above AND ALL the other issues raised would you personally want this where you lived????!! I believe we know your true answer to that question.

Thank you for your consideration of the issues, Mark Voss, Del Webb resident.

E-1



**Response to Letter E: Mark Voss**

**Response E-1:** The commenter expresses general concerns regarding children walking to and from school through the community relating to litter, loiter, smoke, and noise.

Noise impacts are discussed in Section XIII, Noise, of the IS/MND. The noise levels will not exceed noise levels established by the City's Noise Ordinance. The other concerns presented (loitering, smoking, etc.) are not environmental concerns addressed under CEQA and do not address the adequacy of the IS/MND, or compliance with CEQA. Nevertheless, this comment is noted and will be forwarded to the decision-makers for their consideration of topics beyond the adequacy of the IS/MND.

## RESPONSE TO COMMENTS

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Lea D. Simvoulakis  
Deputy Director-Planning  
City of Manteca, Development Services Department

April 30, 2023

Hello Ms. Simvoulak,

I am writing in regards to building that is being considered near the Del Webb community. I am hoping that my letter as well as others will be taken into consideration before going forward with building near Del Webb.

We moved to Del Webb for many reasons. One of those reasons is that there are only one story houses around our neighborhood. We have noticed all of the two story homes being built on Main Street as well as Airport Road. This is not something that we would like to see near our community of one story homes.

Our primary reason for moving here is that the neighborhood is only for residents that are 55 and older, it is a private community by means of having an HOA, and everyone keeps the neighborhood looking nice. We watch out for those who live here.

F-1

It is truly a concern that homes built to the north of Del Webb will see our community as a pass through from Airport Road to Union and Lathrop Roads. We have no one under 55 living in Del Webb and yet if these homes are built so close to us there is no doubt that Daisywood and other streets, in Del Webb, would be filled with traffic from the new homes. This would include high school kids going to East Union High School.

We live near the closest park to Airport Road in Del Webb. We know that kids would be using our parks as that is what kids do.

Please, please, consider what is being said by residents of Del Webb. We know what a traffic nightmare it is where the Chick-fil-a was built. I would not like to see the traffic or children in Del Webb, at our parks, or just passing through.

F-2

Your consideration in these matters will be greatly appreciated.

Sincerely,

Terry L. Voss  
(209) 581-2089

**Response to Letter F: Terry Voss**

**Response F-1:** The commenter provides background information regarding why they chose to move to the Del Webb Community and concerns regarding homes built north of Del Webb.

While the comment does not address environmental concerns, adequacy of the IS/MND, or compliance with CEQA, this comment is noted for its concerns and has been forwarded to the decision-makers for their consideration of topics beyond the adequacy of the IS/MND.

It is noted that, in response to the concerns of this commenter and other Woodbridge residents, the Project proponent met with various Woodbridge representatives to discuss their concerns and to compromise on key issues. As part of this dialogue, Project proponent has agreed that all lots immediately adjacent to the existing Woodbridge development shall be restricted to single-story homes. This agreement was not warranted to mitigate a CEQA impact, but instead represents the Project proponent's good faith effort to respond to design concerns of neighbors.

**Response F-2:** The commenter discusses traffic concerns near Chick-Fil-A and states that they would not like to see the traffic or children in Del Webb, at their parks, or passing through.

Traffic is addressed within the Traffic Report, as well as the traffic section of the IS/MND. The traffic does not exceed thresholds of significance established for the City. The other concerns presented (kids) are not environmental concerns addressed under CEQA and do not address the adequacy of the IS/MND, or compliance with CEQA. Nevertheless, this comment is noted and will be forwarded to the decision-makers for their consideration of topics beyond the adequacy of the IS/MND.

# RESPONSE TO COMMENTS

**From:** [Kearns\\_Zachary@Wildlife](mailto:Kearns_Zachary@Wildlife)  
**To:** [Simvoulakis\\_Lea](mailto:Simvoulakis_Lea)  
**Cc:** [Wildlife\\_R2\\_CEOA](mailto:Wildlife_R2_CEOA); [Haagerty\\_Nicole@Wildlife](mailto:Haagerty_Nicole@Wildlife); [Thomas\\_Kevin@Wildlife](mailto:Thomas_Kevin@Wildlife); [Boyd\\_Ian@Wildlife](mailto:Boyd_Ian@Wildlife); [Sheva\\_Tanya@Wildlife](mailto:Sheva_Tanya@Wildlife)  
**Subject:** [CDFW Comments] Indelicato Property Subdivision Project - Mitigated Negative Declaration (IS/MND)  
**Date:** Wednesday, May 3, 2023 2:11:11 PM  
**Attachments:** [image001.png](#)

**WARNING!** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Ms. Simvoulakis

The California Department of Fish and Wildlife (CDFW) appreciates the opportunity to comment on the Mitigated Negative Declaration (IS/MND) for the Indelicato Property Subdivision Project (project). CDFW is responding to the IS/MND as a Trustee Agency for fish and wildlife resources (Fish & G. Code, §§ 711.7 & 1802, and CEQA Guidelines, §§ 15386), and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines Section 15381), such as the issuance of a Lake or Streambed Alteration Agreement (California Fish and Game Code Sections 1600 et seq.) and/or a California Endangered Species Act (CESA) Permit for incidental take of endangered, threatened, and/or candidate species (California Fish and Game Code Sections 2080 and 2080.1).

G-1

The project is located at approximately Latitude: 37.827104, Longitude: -121.249304, in San Joaquin County. The project consists of the annexation of 40 acres of land into the City of Manteca for the subdivision and development of 173 residential units, construction of a 3.03-acre park, and the installation of landscaping. Typical lot sizes will be 50 feet by 100 feet for 81 lots, and 60 feet by 100 feet for 92 lots. All facilities would be removed, including wells, irrigation facilities, and electric lines, per City of Manteca standards and specifications. The annexation will include detachment from the Lathrop Manteca Fire District.

CDFW recommends the following items be addressed in the future planning of the project:

1. Fully Protected Species: A Fully Protected Species (Fish & G. Code § 4700) has the potential to occur within or adjacent to the project area, including, but not limited to: White-Tailed Kite (*Elanus leucurus*). Fully protected species may not be taken or possessed at any time. Project activities should be designed to completely avoid any fully protected species that have the potential to be present within or adjacent to the project area.
2. **Table BIO-2:** The species status column in *Table BIO-2: Special-Status Wildlife and Fish Species which may occur in Project Area* should be updated and verified. Some species that need updating include, but are not limited to the following:

G-2

	Common Name	Scientific Name	Table BIO-2 Status	CESA Status
1	Tricolored Blackbird	<i>Agelaius tricolor</i>	SSC	CA Threatened
2	California tiger salamander	<i>Ambystoma californiense</i>	SSC	CA Threatened
3	American Peregrine Falcon	<i>Falco peregrinus anatum</i>	D	Fully Protected

G-3

3. **Nesting Bird Survey timing:** Sections 3503, 3503.5, and 3513 of the Fish and Game Code protect nesting and migratory birds and birds of prey. Section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by the Fish and Game Code or any regulation made pursuant thereto. Section 3503.5 states that it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by the Fish and Game Code or any regulation adopted pursuant thereto. Section 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the federal Migratory Bird Treaty Act.

G-4

The IS/MND’s mitigation measure BIO-1 requires take authorization be obtained prior to initiating construction activities. CDFW recommends that a pre-construction nesting bird survey if vegetation removal or earthwork is scheduled during the nesting season, typically February 1 through August 31. Additionally, CDFW typically recommends surveying a minimum of a 500-foot radius for migrating birds, and a ½-mile radius for nesting raptors.

4. **Moving out of Harm’s Way:** The proposed project is anticipated to result in disturbances to natural habitats that support native species. To avoid direct mortality, a qualified biologist who is approved by CDFW to handle special-status species, may be retained to be onsite prior to and during all project-related activities to move out of harm’s way special-status species or other wildlife of low or limited mobility, that would otherwise be injured or killed from project-related activities. Movement of wildlife out of harm’s way should be limited to only those individuals that would otherwise be injured or killed, and individuals should be moved only as far a necessary to ensure their safety.

G-5

Please note, if it is determined the project may have the potential to result in "take," as defined in the Fish and Game Code, section 86, of a CESA-listed species, the City of Manteca should disclose that an incidental take permit (ITP) or a consistency determination (Fish & G. Code, §§ 2080.1 & 2081) may be needed prior to starting construction activities. The IS/MND should include all avoidance and minimization to reduce the impacts to a less than significant level. If impacts to listed species are expected to occur even with the implementation of these measures, mitigation measures should be proposed to fully mitigate the impacts to CESA-listed species (Cal. Code Regs., tit. 14, § 783.2, subd. (a)(8)). If the City of Manteca does not pursue CESA authorization and encounters any CESA-listed species during project activities, work should be suspended, and CDFW notified. Work should not re-initiate until the City of Manteca has consulted with CDFW and can demonstrate compliance with CESA.

5. **Tree Roosting Bats:** Satellite imagery shows trees on the boundary of the project site that may provide habitat for tree roosting bats. If roost trees are removed during the colder months, bats may be in hibernation and unable to escape. To avoid potential impacts to both maternity colonies and hibernating bats, CDFW recommends that tree removal be scheduled either in the spring between approximately March 1 (or when evening temperatures are above 45°F) and April 15, or in fall between approximately September 1 and October 15 (or prior to evening temperatures dropping below 45°F and the onset of rainfall greater than one-half inch in 24 hours). If bats must be captured or relocated, a qualified biologist should capture injured bats by hand-capture or other methods approved by CDFW. CDFW does not authorize the use of mist nets or harp traps as capture techniques.

G-6

6. **Swainson’s Hawk:** Swainson’s hawk (*Buteo swainsoni*) (SWHA) is a species listed as threatened under CESA and has the potential to occur on the project area. California Natural Diversity Database (CNDDB) has records of at least forty (40) previous SWHA occurrences within five (5) miles of the project area. Review of aerial imagery also suggests that there may be suitable nesting trees and foraging habitat on open crop or grassland.

G-7

BIO-1 indicates that take authorization and Incidental Take and Minimization Measures will be implemented based on the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSHCP). If participation is not feasible, CDFW recommends that a CESA ITP be obtained if the project has the potential to result in “take” (Fish & G. Code § 86

## RESPONSE TO COMMENTS

defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") of CESA-listed species, either through construction or over the life of the project.

CDFW recommends a qualified biologist conduct a SWHA survey within a minimum ½-mile radius around the project area. Surveys should be conducted according to the following five-period schedule in accordance with the "[Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley \(Swainson's Hawk Tech. Advis. Comm., 5/2000\)](#)":

- January to March 20- One (1) Survey, All Day
- March 20 to April 5- Three (3) Surveys, Sunrise to 1000 / 1600 to Sunset
- April 5 to April 20- Three (3) Surveys, Sunrise to 1200 / 1630 to Sunset
- April 21 to June 10- Monitoring
- June 10 to July 30- Three (3) Surveys, Sunrise to 1200 / 1600 to Sunset

If an occupied nest is found and may be impacted by project activities, the project proponent should consult with CDFW and demonstrate compliance with CESA. CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to CESA.

7. **Burrowing Owl:** The CNDDDB has records of at least five (5) previous Burrowing Owl (BUOW, *Athene cucularia*, Species of Special Concern) occurrences within five (5) miles of the project area.

If construction activities are planned in suitable BUOW habitat, a designated biologist(s), approved by CDFW, should conduct a survey for burrowing owl following the methodology described in the [Staff Report on Burrowing Owl Mitigation](#), within 1-2 weeks prior to the start of construction. If BUOW or signs of BUOW presence such as whitewash, feathers, owl pellets, etc. are not detected, no further mitigation will be required. If BUOWs are observed within 500 feet of the project area, the project proponent should develop an Impact Assessment consistent with the Staff Report on Burrowing Owl Mitigation and submit the Impact Assessment to CDFW prior to construction work. The final avoidance and mitigation measures will be determined in coordination with CDFW, but the Impact Assessment should at a minimum include the following mitigation measure:

- a. Occupied burrows shall not be disturbed. If occupied burrows are found, the biologist will ensure active nests are avoided and a no disturbance or destruction buffer be established by a biologist. The buffer shall be kept in place until after the breeding nesting season or biologist confirms the young have fledged, and the nest is no longer active for the season. The extent of these buffers shall be determined by the biologist and will depend on the species present, the level of noise or construction disturbance, line of sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers.

8. **Passive Relocation and Entrapment Prevention:** At the end of each workday, an escape ramp should be placed at each end of any open excavation to allow wildlife that may become trapped to climb out overnight. The ramp may be constructed of either dirt fill, wood planking, and/or other suitable material that is placed at an angle no greater than thirty (30) degrees. A qualified biologist or construction monitor should survey the project area to ensure wildlife incidentally trapped due to project activities are allowed to escape prior to project commencement.

9. **Lake and Streambed Alteration:** Satellite imagery of the site show there may be several potential drainage features that appear to be hydrologically connected to other waterbodies. Section 1602 of the Fish and Game Code requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following:

G-7  
cont'd

G-8

G-9

G-10

- a. Substantially divert or obstruct the natural flow of any river, stream, or lake;
- b. Substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or
- c. Deposit debris, waste or other materials where it may pass into any river, stream or lake.

Please note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year-round). This includes ephemeral streams and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water.

If upon review of an entity's notification, CDFW determines that the project activities may substantially adversely affect an existing fish or wildlife resource, a Lake and Streambed Alteration (LSA) Agreement will be issued which will include reasonable measures necessary to protect the resource. CDFW's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if one is necessary, the environmental document should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with CDFW is recommended, since modification of the project may avoid or reduce impacts to fish and wildlife resources. Notifications for projects involving (1) sand, gravel or rock extraction, or (2) timber harvesting operations must be submitted using paper notification forms. All other LSA Notification types must be submitted online through CDFW's Environmental Permit Information Management System (EPIMS). For more information about EPIMS, please visit <https://wildlife.ca.gov/Conservation/Environmental-Review/EPIMS>. More information about LSA Notifications, paper forms and fees may be found at <https://www.wildlife.ca.gov/Conservation/Environmental-Review/LSA>.

G-10  
cont'd

10. **San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSHCP) Participation.** The IS/MND states that CESA take authorization will be acquired through the SJMSHCP. If participation is not approved, for any reason, early consultation with CDFW is recommended to ensure CESA compliance and avoid project delays due to the permitting process.

G-11

Pursuant to Public Resources Code sections 21092 and 21092.2, CDFW requests written notification of proposed actions and pending decisions regarding the project. Written notifications may be directed to: California Department of Fish and Wildlife North Central Region, 1701 Nimbus Road, Rancho Cordova, CA 95670.

CDFW appreciates the opportunity to comment on the project and recommends that the City of Manteca address CDFW's comments and concerns in the forthcoming CEQA document. CDFW personnel are available for consultation regarding biological resources and strategies to minimize impacts.

G-12

If you have any questions regarding the comments provided in this letter or wish to schedule a meeting and/or site visit, please contact Zach Kearns, Environmental Scientist at (916) 358-1134 or [zachary.kearns@wildlife.ca.gov](mailto:zachary.kearns@wildlife.ca.gov).

Sincerely,

Zach Kearns  
Environmental Scientist  
(916) 358-1134

1701 Nimbus Rd.  
Rancho Cordova, CA 95670





**Response to Letter G: California Department of Fish and Wildlife**

**Response G-1:** The commenter summarizes the responsibilities of the California Department of Fish and Wildlife (CDFW) and summarizes the proposed Project details.

This comment is noted. This comment serves as an introduction to the letter and does not warrant a response. No further response is necessary.

**Response G-2:** The commenter states that white-tailed kite (*Elanus leucurus*) has the potential to occur within or adjacent to the Project area. The commenter also states that Project activities should be designed to completely avoid any fully protected species that have the potential to occur within or adjacent to the Project site.

Impacts associated with special-status species, including white-tailed kite, are discussed in Section IV, Biological Resources, of the IS/MND. As stated on pages 30 and 38 of the IS/MND, white-tailed kite is a commonly observed raptor species in the region and is protected from take pursuant to the Fish and Game Code of California Section 3503.5, and the federal Migratory Bird Treaty Act, among other federal and State regulations.

According to the California Natural Diversity Database (CNDDDB), there is one documented occurrence of this species within 15 miles of the Project site. The occurrence is located approximately 6.55 miles north of the site and was documented in 2002. This species, however, is very common and the one occurrence does not represent the abundance of this species throughout the region.

White-tailed kite is a covered species under the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). As required by Mitigation Measure BIO-1, the Project would be required seek coverage under the SJMSCP, which involves compensation for habitat impacts on covered species through implementation of incidental take and minimization Measures (ITMMs) and payment of fees for conversion of lands that may provide habitat for covered special status species.

The Project site is in the SJMSCP Central Zone. Chapter 5 of the SJMSCP includes ITMMs for Project Proponents to implement. ITMMs shall be completed prior to Site Disturbance (normally prior to grading) as indicated in the conditions of project approval. Some ITMMs will be carried out during project construction. The cost of implementing ITMMs is the responsibility of the Project Proponent. The SJMSCP Joint Powers Authority (JPA) is responsible for costs and implementation of relocation efforts as approved by the Permitting Agencies and as determined necessary through preconstruction surveys.

It is noted that, in response to Comment G-3, white-tailed kite was added to the special-status wildlife species table (Table BIO-2) of the Final IS/MND.

**Response G-3:** The commenter states that Table BIO-2 should be updated and verified, and lists three species (tricolored blackbird, California tiger salamander, and American peregrine falcon) that need updating.

## RESPONSE TO COMMENTS

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To address this comment, the Initial Study was revised to update and verify the species listed in this comment as well as other species documented in the region. See the Final IS/MND for the changes to the table.

**Response G-4:** The commenter discusses and summarizes Sections 3503, 3503.5, and 3513 of the Fish and Game Code. The commenter then recommends that a pre-construction nesting bird survey if vegetation removal or earthwork is scheduled during the nesting season, typically February 1 through August 31. Additionally, the commenter states that CDFW typically recommends surveying a minimum of a 500-foot radius for migrating birds, and a ½-mile radius for nesting raptors.

As discussed in Chapter 5 of the SJMSCP, there are four categories of preconstruction surveys necessary to the implementation of the SJMSCP:

A. Preconstruction surveys to verify vegetation types affected by the project and to determine if SJMSCP Covered Species are present and, if present, attaching Incidental Take Minimization Measures as conditions of project approval for individual projects (see Section 5.2.2.5 [of the SJMSCP] for survey methodologies and Section 5.2.2.4 [of the SJMSCP] for special provisions for conducting plant surveys). These preconstruction surveys shall be conducted in the field when a project is located on suitable habitat for one or more of the SJMSCP Covered Species;

B. Preconstruction surveys conducted prior to (or, for some Incidental Take Minimization Measures, during) ground-disturbing activities to determine if SJMSCP Covered Species have been successfully relocated and/or to determine if other Incidental Take Minimization Measures have been implemented, as specified in the conditions of project approval; and

C. Preconstruction surveys, conducted in compliance with current U.S. Fish and Wildlife Service protocols, to determine the presence or absence of Conservancy and/or longhorn fairy shrimp within vernal pools or other wetlands located southwest of I-580 in the *Southwest Zone* unless complete avoidance of vernal pools and/or wetlands is achieved in compliance with SJMSCP Section 5.5.9.

D. Preconstruction surveys conducted pursuant to the protocol established in Section 5.2.2.5(AC) of the SJMSCP for:

- Large-flowered fiddleneck southwest of the 900 foot contour line in the *Southwest Zone* southwest of I-580;
- Showy madia in the *Southwest Zone*;
- Hospital canyon larkspur in the *Southwest Zone*;
- Diamond-petaled poppy in the *Southwest Zone*;
- Greene's tuctoria in the *Vernal Pool Zone*;
- Succulent owl's clover in the *Vernal Pool Zone*;

- Legenere in the *Vernal Pool Zone*;
- Delta button celery in the *Central Zone* in S(Scrub) vegetation types;
- Sanford's arrowhead in the *Central Zone* in W3, W4 and all I and R vegetation types; and
- Slough thistle in the *Central and Central/Southwest Transition Zones* in W4, R, R2, R3, R4 or R5 vegetation types—in particular where R touches or transitions to W.

The costs of conducting preconstruction surveys described in paragraphs A, B, and D, above, are calculated in the administrative costs for the SJMSCP and are included in funding estimates. The JPA shall conduct preconstruction surveys described in the paragraphs A, B, and D, above, at no additional cost to the Project Proponent. Preconstruction surveys required pursuant to paragraph C, above, are the responsibility of the Project Proponent.

The proposed Project would be subject to the preconstruction survey requirements in paragraph A above.

**Response G-5:** The commenter state that the proposed project is anticipated to result in disturbances to natural habitats that support native species. The commenter suggests that a qualified biologist who is approved by CDFW to handle special-status species should be retained to be onsite prior to and during all project-related activities. The commenter further states that movement of wildlife out of harm's way should be limited to only those individuals that would otherwise be injured or killed, and individuals should be moved only as far as necessary to ensure their safety. The commenter concludes by describing the incidental take permit (ITP) requirements as they relate to the California Endangered Species Act (CESA) and associated listed species.

Please see Response G-2.

**Response G-6:** The commenter states that the trees on the Project site may provide habitat for tree roosting bats, and includes recommendations for tree removal to avoid potential impacts stated by the commenter to such species. The commenter further states that, if bats must be captured or relocated, a qualified biologist should capture injured bats by hand-capture or other methods approved by CDFW. The commenter concludes by stating that CDFW does not authorize the use of mist nets or harp traps as capture techniques.

As discussed on pages 38 and 39 of the IS/MND, the Project site provides potential habitat for several special-status bats, including: Greater western mastiff bat (*Eumops perotis californicus*), western red bat (*Lasiurus blossevillii*), small-footed myotis/bat (*Myotis ciliolabrum*), long-eared myotis/bat (*Myotis evotis*), fringed myotis/bat (*Myotis thysanodes*), long-legged myotis/bat (*Myotis volans*), and Yuma myotis/bat (*Myotis yumanensis*). These species are not federal, or state listed; however, they are tracked by the CNDDDB. Greater western mastiff bat (*Eumops perotis californicus*) has been documented in the 12-quadrangle radius for the Project site. The nearest occurrence to

## RESPONSE TO COMMENTS

the site is located approximately 18.6 miles southwest of the site near the Carnegie State Vehicular Area in the hills west of Interstate 580. Western red bat (*Lasiurus blossevillii*), small-footed myotis/bat (*Myotis ciliolabrum*), long-eared myotis/bat (*Myotis evotis*), fringed myotis/bat (*Myotis thysanodes*), long-legged myotis/bat (*Myotis volans*), and Yuma myotis/bat (*Myotis yumanensis*) have not been documented in the 12-quadrangle radius of the Project site.

As discussed on page 39 of the IS/MND, development of the Project site would eliminate foraging habitat for special status bats by removing the agricultural areas. Additionally, special status bats can establish roosts within the structures and/or trees located on the Project site. Bats can establish roosts even when absent in prior years. There has been no evidence of bat roosts on the project site (i.e. guano, bat sounds, etc.). These special status bat species are covered by the SJMSCP.

The following bat species are covered by the SJMSCP: Greater western mastiff bat aka California mastiff bat (*Eumops perotis californicus*), red Bat (*Lasiurus blossevillii*), small-footed myotis/bat (*Myotis ciliolabrum*), long-eared myotis/bat (*Myotis evotis*), fringed myotis/bat (*Myotis thysanodes*), long-legged myotis/bat (*Myotis volans*), Yuma myotis/bat (*Myotis yumanensis*), and Pale big-eared bat (*Plecotus townsendii pallescens* aka *Corynorhinus townsendii pallescens*) aka Pacific western big-eared bat (*Plecotus townsendii townsendii* aka *Corynorhinus townsendii townsendii*).

As discussed in the SJMSCP, prior to the nursery seasons indicated in Table 5.2-2 of the SJMSCP for bat species discussed above, nursery sites shall be sealed. Sealing of the hibernation sites shall occur prior to the hibernation season (November through March) when hibernation sites are identified on the project site. Alternatively, grating may be installed as described in 5.5.9(E)(1) of the SJMSCP. Additionally, when colonial roosting sites which are located in trees or structures must be removed, removal shall occur outside of the nursery and/or hibernation seasons and shall occur during dusk and/or evening hours after bats have left the roosting site unless otherwise approved pursuant to Section 5.2.3.2 of the SJMSCP.

**Response G-7:** The commenter states that occurrences of Swainson's hawk (*Bufo swainsoni*) have been documented within five miles of the Project site, and the site may have suitable nesting and foraging habitat. The commenter suggests that, if participation in the SJMSCP is not feasible, an ITP should be obtained if the Project would result in a "take". The commenter also recommends a qualified biologist conduct a SWHA survey within a minimum ½-mile radius around the project area. Further, if an occupied nest is found and may be impacted by project activities, the commenter suggests that the project proponent should consult with CDFW and demonstrate compliance with CESA.

It is noted that Swainson's hawk is well documented in the region. The site survey did not reveal any active or remnant nest site. The open land would be foraging habitat for Swainson's hawk. Participation in the SJMSCP is required by Mitigation Measure BIO-1 of the IS/MND. The City of Manteca is a permit holder and plan participant for the SJMSCP.

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

**Response G-8:** The commenter states that occurrences of burrowing owl (*Athene cunicularia*) have been documented within five miles of the Project site, and suggests that a survey for this species be completed within one to two weeks prior to the start of construction. If burrowing owls are observed within 500 feet of the project area, the commenter suggests that the project proponent should develop an Impact Assessment consistent with the Staff Report on Burrowing Owl Mitigation and submit the Impact Assessment to CDFW prior to construction work.

As discussed in Chapter 5 of the SJMSCP, the presence of ground squirrels and squirrel burrows are attractive to burrowing owls. There was no evidence of active or remnant burrows on the project site, although there is a potential for foraging. The SJMSCP requires a Project Proponent to prevent ground squirrels from occupying the project site early in the planning process by employing one of the following practices:

A. The Project Proponent may plant new vegetation or retain existing vegetation entirely covering the site at a height of approximately 36" above the ground. Vegetation should be retained until construction begins. Vegetation will discourage both ground squirrel and owl use of the site.

B. Alternatively, if burrowing owls are not known or suspected on a project site and the area is an unlikely occupation site for red-legged frogs, San Joaquin kit fox, or tiger salamanders:

The Project Proponent may disc or plow the entire project site to destroy any ground squirrel burrows. At the same time burrows are destroyed, ground squirrels should be removed through one of the following approved methods to prevent reoccupation of the project site. Detailed descriptions of these methods are included in Appendix A, *Protecting Endangered Species, Interim Measures for Use of Pesticides in San Joaquin County*, dated March, 2000:

1. **Anticoagulants.** Establish bait stations using the approved rodenticide anticoagulants Chlorophacinone or Diphacinone. Rodenticides shall be used in compliance with U.S. Environmental Protection Agency label standards and as directed by the San Joaquin County Agricultural Commissioner.

2. **Zinc Phosphide.** Establish bait stations with non-treated grain 5-7 calendar days in advance of rodenticide application, then apply Zinc Phosphide to bait stations. Rodenticides shall be used in compliance with U.S. Environmental Protection Agency label standards and as directed by the San Joaquin County Agricultural Commissioner.

3. **Fumigants.** Use below-ground gas cartridges or pellets and seal burrows. Approved fumigants include Aluminum Phosphide (Fumitoxin, Phostoxin) and gas cartridges sold by the local Agricultural Commissioner's office. NOTE: Crumpled newspaper covered with soil is often an effective seal for burrows when fumigants are used. Fumigants shall be used in compliance with U.S. Environmental Protection Agency label standards and as directed by the San Joaquin County Agricultural Commissioner.

4. **Traps.** For areas with minimal rodent populations, traps may be effective for eliminating rodents. If trapping activities are required, the use of, shall be consistent with all applicable laws and regulations.

If the measures described above were not attempted or were attempted but failed, and burrowing owls are known to occupy the project site, then the following measures shall be implemented:

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

D. During the breeding season (February 1 through August 31) occupied burrows shall not be disturbed and shall be provided with a 75 meter protective buffer until and unless the TAC, with the concurrence of the Permitting Agencies' representatives on the TAC; or unless a qualified biologist approved by the Permitting Agencies verifies through non-invasive means that either: 1) the birds have not begun egg laying, or 2) juveniles from the occupied burrows are foraging independently and are capable of independent survival. Once the fledglings are capable of independent survival, the burrow can be destroyed.

These Incidental Take Minimization Measures are consistent with the provisions of the Migratory Bird Treaty Act as described in Section 5.2.3.1(G).

**Response G-9:** The commenter states that escape ramps for wildlife should be placed at each end of any open excavation at the end of each workday, and a qualified biologist or construction monitor should survey the project area to ensure wildlife incidentally trapped due to project activities are allowed to escape prior to project commencement.

Please see Response G-2.

**Response G-10:** The commenter states that there may be drainage features on-site which appear to be hydrologically connected to other waterbodies. The commenter summarizes Section 1602 of the Fish and Game Code and defines “river, stream, or lake” as it pertains to this Section of the Code. The commenter also describes the Lake and Streambed Alteration (LSA) Agreement requirements and procedures.

As discussed on page 40 of the IS/MND, the Project site does not contain protected wetlands or other jurisdictional areas and there is no need for permitting associated with the federal or state Clean Water Acts. The irrigation ditches are man-made isolated facilities with the sole purpose of agricultural irrigation. These ditches are exempt from permitting and are not considered a river, stream, or lake.

**Response G-11:** The commenter states that, if participation in the SJMSCP is not approved for any reason, early consultation with CDFW is recommended to ensure CESA compliance and avoid project delays due to the permitting process.

As noted in Response G-7, the City of Manteca is a permit holder and plan participant for the SJMSCP. As stated previously, Mitigation Measure BIO-1 of the IS/MND requires the Project proponent to seek coverage under the SJMSCP to mitigate for habitat impacts to covered special status species. Coverage involves compensation for habitat impacts on covered species through implementation of incidental take and minimization measures (ITMMs) and payment of fees for conversion of lands that may provide habitat for covered special status species. These fees are used to preserve and/or create habitat in preserves to be managed in perpetuity. Obtaining coverage for a Project includes incidental take authorization (permits) under the Endangered Species Act Section 10(a), California Fish and Game Code Section 2081, and the MBTA. Coverage under the SJMSCP would fully mitigate all habitat impacts on covered special-status species.

**Response G-12:** The commenter requests written notification of proposed actions and pending decisions regarding the Project.

This comment is noted. The commenter has been included in the City’s notification list for this Project. This comment serves as a conclusion to the letter.

# RESPONSE TO COMMENTS

May 5, 2023

City of Manteca  
1215 W Center St  
Suite 201  
Manteca, CA 95337  
Attn: Deputy Director Planning Lea C. Simvoulakis

RE: Indelicato Property Subdivision Project

Dear Ms. Simvoulakis:

We are in receipt of the Mitigated Negative Declaration/Initial Study notice and wish to submit the following concerns, comments and questions:

- Is the proposed property zoned residential? |
- Will existing fences on the perimeter with Del Webb be considered a common fence? If so, who will pay to maintain it if damaged or vandalized? According to Del Webb HOA's trees can not be planted within 5' of the fence. Will this new community have similar restrictions? | H-1
- Homes in the new subdivision along the perimeter with Del Webb should be single story to maintain and protect the vulnerable over 55 community. |
- Who will be responsible for any damage done to existing grades and drainage in backyards during grading and construction? | H-2
- Pulling the almond trees out and construction will generate significant dust and dirt that will impact our senior community already beset with a myriad of respiratory problems, such as COPD, asthma, pneumonia, etc. How specifically will the dust and dirt be mitigated? | H-3
- What improvements to Airport Rd adjacent to this subdivision are being contemplated? | H-4

Please advise how these concerns will be addressed during the planning phase. I can be reached by phone and email, whichever is more convenient. | H-5

Sincerely,



HJ Heaney  
M 510.333.8009  
hjheaney@gmail.com

Pamela C Heaney



**Response to Letter H: HJ Heaney**

**Response H-1:** The commenter provides an introductory statement, questions if the site is zoned residential, questions if existing fences will be a common fence for the new residences and who will be responsible for maintenance of the fences, and states that homes along the perimeter should be single-story.

As discussed on page 4 of the IS/MND, the Project site is designated LDR (Low Density Residential) by the Manteca General Plan land use map. There is also a small silver of Public Quasi Public (PQP) land use designated along the northern boundary of the Project site. Because the site is not located within the City of Manteca, the site does not have a City zoning designation. The current zoning for the site is Agriculture Urban Reserve (AU 20). As also discussed in the IS/MND, the San Joaquin County Local Agency Formation Commission (LAFCo) will require the project site to be pre-zoned by the City of Manteca in conjunction with the proposed annexation. The City’s pre-zoning for the entire site will be R-1 (One Family Dwelling), which is consistent with the LDR (Low Density Residential) land use designation of the Manteca General Plan.

Beyond the land use and zoning questions discussed above, this comment does not present environmental concerns, and does not address the adequacy of the IS/MND, or compliance with CEQA. Nevertheless, this comment is noted and has been forwarded to the decision-makers for their consideration of topics beyond the adequacy of the IS/MND.

It is noted that, in response to the concerns of this commenter and other Woodbridge residents, the Project proponent met with various Woodbridge representatives to discuss their concerns and to compromise on key issues. As part of this dialogue, Project proponent has agreed that all lots immediately adjacent to the existing Woodbridge development shall be restricted to single-story homes. This agreement was not warranted to mitigate a CEQA impact, but instead represents the Project proponent’s good faith effort to respond to design concerns of neighbors.

**Response H-2:** The commenter questions who would be responsible for any damage done to existing grades and drainage in backyards during grading and construction.

Impacts associated with stormwater and drainage are discussion in Section X, Hydrology and Water Quality, on pages 64 and 65 of the IS/MND. As discussed, drainage improvements associated with the Project site would be located on the Project site, and the proposed Project would not alter or adversely impact offsite drainage facilities. The proposed Project would increase impervious surfaces throughout the Project site. The proposed Project would require the installation of storm drainage infrastructure to ensure that storm waters properly drain from the Project site. The proposed storm drainage plan includes an engineered network of storm drain lines, manholes, inlets, and a water quality basin. The storm drainage plan was designed and engineered to ensure proper construction of storm drainage infrastructure to control runoff and prevent flooding, erosion, and sedimentation. The City Engineer reviews all storm drainage plans

## RESPONSE TO COMMENTS

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as part of the improvement plan submittal to ensure that all facilities are designed to the City's standards and specifications. The City Engineer also reviews all storm drainage plans to ensure that post-project runoff does not exceed pre-project runoff. The City Engineer's review of pre- and post-project runoff is intended to ensure that the capacity of the existing storm drainage system is not exceeded. This determination is ultimately made by the City Engineer during the improvement plan review and approval.

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

Stormwater infrastructure is also discussed in Section XIX, Utilities and Service Systems, on pages 109 and 110 of the IS/MND. As discussed, because the Project site could increase runoff significantly, and create downstream drainage Problems, Project impacts to stormwater are considered potentially significant. Mitigation Measures UTIL-1 requires the Project applicant to submit a drainage plan to the City of Manteca for review and approval. The plan will include an engineered storm drainage plan that demonstrates attainment of pre-Project runoff requirements prior to release at the storm drainage outlet and describes the volume reduction measures and treatment controls used to reach attainment consistent with the Manteca Storm Drain Master Plan.

During construction, as discussed on page 57 of the IS/MND, a Storm Water Pollution Prevention Plan (SWPPP) with Best Management Practices (BMPs) related to prevention of soil erosion during construction would be required. As stated in Mitigation Measure GEO-2, the SWPPP shall be designed to control pollutant discharges utilizing Best Management Practices (BMPs) and technology to reduce erosion and sediments. BMPs may consist of a wide variety of measures taken to reduce pollutants in stormwater runoff from the Project site. Measures shall include temporary erosion control measures (such as silt fences, staked straw bales/wattles, silt/sediment basins and traps, check dams, geofabric, sandbag dikes, and temporary revegetation or other ground cover) that will be employed to control erosion from disturbed areas. Final selection of BMPs will be subject to approval by the City of Manteca and the RWQCB. The SWPPP will be kept on site during construction activity and will be made available upon request to representatives of the RWQCB.

**Response H-3:** The commenter states that removing trees will generate significant dust and first, and questions how dust and dirt will be mitigated.

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

Control measures are required and enforced by the SJVAPCD under Regulation VIII. The SJVAPCD considers construction-related emissions from all projects in this region to be mitigated to a less than significant level if SJVAPCD-recommended PM10 fugitive dust rules and equipment exhaust emissions controls are implemented. The proposed Project would be required to comply with all applicable measures from SJVAPCD Rule VIII.

**Response H-4:** The commenter questions what improvements to Airport Road will be contemplated.

As described on pages 3 and 4 of the IS/MND, residences would back on Airport Way, consistent with the existing residential orientation along the street. Access to the subdivision will occur from two locations on the west site of the subdivision along Airport Way. The internal circulation design includes roadway stubs to access the property to the north in accordance with the City's requirements. These are the only proposed improvements to Airport Way.

**Response H-5:** This comment is noted. This comment serves as a conclusion to the letter and does not warrant a response. No further response is necessary.

## RESPONSE TO COMMENTS

Manteca Development Services Department

Attn. Lea Simvoulakis, Deputy Director-Planning

May 7--, 2023

Reference: Kiper Homes at Indelicato

Dear Ms. Simvoulakis,

I wish to comment on a number of issues that I feel need to be addressed regarding this development.

I-1

From what I can tell there is no provision for a school bus pull-out area for picking and dropping off grade school children in the Indelicato Development. Other housing developments in the city have bus pull-out areas for students. It makes sense. This is a safety issue and for Indelicato not to have one is an anomaly and a danger to the children. If this is not addressed, I fear it will be a future problem for the Indelicato development and for the city. Perhaps it was overlooked but now that it has been brought to your attention, I would hope it would be included in the plan.

I-2

In addition, I understand the city is allowing only right in and right out turns into and out of the Indelicato development onto Airport Way and the city is requiring Kiper to install medians to block left turns. This would require residents to drive up to Lovelace turn right and then drive to Union to go anywhere in Manteca, including grocery shopping. Residents would be driving behind or across from trash-filled trucks going to the dump. Indelicato residents' traffic would also add more cars to what is basically now a country road. It is not the best or safest way to get to Lathrop Road from their homes and would add unnecessary traffic to Union Road. If on the other hand the city is considering a U turn at Lovelace/ Airport for residents to go south, it would make that intersection much more congested unnecessarily. It seems to me that both options would be onerous to the future homeowners and to the builders. I understand the builders offered to pay for modifications that would allow for left turns in and out of the development. Cars at other intersections without traffic signals on much busier streets are allowed to make left hand turns. (For example: Madison Grove and Lathrop Road. Shady Pines and Union Road to name a few very close by. And Del Webb has way more residents than Indelicato will.) In the name of fairness and good judgment, it doesn't make sense to burden the residents of this new

I-3

development with an unnecessary requirement that will frustrate them for no good reason.

I-3  
cont'd

And lastly I would hope the Planning Department will listen to public input regarding having a master plan for developing the whole area north of Woodbridge as it will impact Del Webb, the schools and the future residents of Kiper homes. A well-planned master plan would benefit all residents and other land owners in this general area. It would end up being something the city could be proud of and be a model to other cities.

I-4

Thank you for considering my comments and for this opportunity to weigh in on important matters for our community and city.

Phyllis McDonald  
2543 Dutchwood In  
Manteca, Ca

### **Response to Letter I: Phyllis McDonald**

**Response I-1:** This comment is noted. This comment serves as an introduction to the letter and does not warrant a response. No further response is necessary.

**Response I-2:** The commenter states that not having a school bus pullout is a safety issue for students and requests one be added.

As noted on page 84 of the IS/MND, the Project would generate approximately 57 K-6 students, 16 7-8 students, and 35 9-12 students (for a total of 108 students). It is unknown how many of those students would take public school buses. It is also noted that street safety issues were not identified in the IS/MND.

While the comment does not address the adequacy of the IS/MND, or compliance with CEQA, this comment is noted and will be forwarded to the decision-makers for their consideration of topics beyond the adequacy of the IS/MND.

**Response I-3:** The commenter discusses the proposed access points and turning movements for the Project, and states that the main entrance/exit of the proposed Project should have both right and left access to avoid traveling north to make a U-turn at Lovelace Road/Airport Way.

Impacts associated with traffic hazards are discussed on pages 103 and 104 of the IS/MND. No traffic hazards were identified. This comment is noted and will be forwarded to the decision-makers for their consideration of topics beyond the adequacy of the IS/MND.

**Response I-4:** The commenter urges the Planning Department to have a master plan for developing the area north of Woodbridge. This comment serves as a conclusion to the letter.

While the comment does not address the adequacy of the IS/MND, or compliance with CEQA, this comment is noted and will be forwarded to the decision-makers for their consideration of topics beyond the adequacy of the IS/MND.

Manteca Development Services Department

Attn: Lea Simvoulakis, Deputy Director-Planning

May 8, 2023

Reference: Kiper Homes at Indelicato

Dear Ms. Simvoulakis,

I submitted a letter yesterday regarding a number of issues relating to the Kiper/Indelicato Development. I wish to add an additional comment as to why requiring future residents from there to exit with a right turn only onto Airport Way and to turn right on Lovelace Road to get to Union Road is a not a good idea. I was talking with a neighbor today and mentioned the comments I had submitted to your department. He said he drives on Lovelace Road when he wants to give his car some activity. He has seen trucks with trailers full of junk driving along there to the dump. Sometimes their cargo is covered and sometimes not. He has seen bags and items on the road that have fallen off of trailers. Periodically he has seen Lovelace Dump workers drive along the road to pick up the trash. One time when he was behind a trailer he saw the back of the car had a partially detached bumper. He slowed down so as not to be too close. Eventually the bumper fell off and was driven over and punctured a tire. (maybe on the trailer. I am not sure.) The driver had to pull off the road. It could have been a worse situation. These are additional reasons as to why having to use Lovelace Road is problematic.

J-1

Regards,

Phyllis McDonald

2543 Dutchwood In

Manteca

### **Response to Letter J:      Phyllis McDonald**

**Response J-1:** The commenter provides concerns regarding Lovelace MRF and Transfer Station workers who drive along Lovelace Road.

While the comment does not address the adequacy of the IS/MND, or compliance with CEQA, this comment is noted and will be forwarded to the decision-makers for their consideration of topics beyond the adequacy of the IS/MND.