

Hat Ranch Project

SCH# 2013112049

Final Environmental Impact Report

Prepared for
City of Manteca



February 2023

Prepared by



Hat Ranch Project Final Environmental Impact Report

SCH# 2013112049

Lead Agency

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1. Introduction and List of Commenters

1. INTRODUCTION AND LIST OF COMMENTERS

1.1 INTRODUCTION

This Final Environmental Impact Report (EIR) contains comments received during the public review period of the Hat Ranch Project (proposed project) Draft EIR. This document has been prepared by the City of Manteca, as Lead Agency, in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, Section 15132. The Introduction and List of Commenters chapter of the Final EIR discusses the background of the Draft EIR, the purpose of the Final EIR, and provides an overview of the organization of the Final EIR. In addition, this chapter provides background information on improvement projects that the City of Manteca is currently undertaking as part of the Manteca-Lathrop Water Quality Control Facility (WQCF) Phase IV Expansion that, while distinct from and not induced by the proposed project, will influence the timing of construction and operation of the proposed project.

1.2 BACKGROUND

The Draft EIR identified the potential impacts associated with the proposed project and the mitigation measures that would be required to be implemented to address such effects. The Draft EIR includes the following environmental analysis technical chapters: Aesthetics; Agricultural Resources; Air Quality, Greenhouse Gas Emissions, and Energy; Biological Resources; Cultural and Tribal Cultural Resources; Geology, Soils, and Mineral Resources; Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use and Planning/Population and Housing; Noise; Public Services, Recreation, Utilities, and Service Systems; and Transportation.

In accordance with CEQA, the City of Manteca used the following methods to solicit public input on the Draft EIR:

- A Notice of Preparation (NOP) for the Draft EIR was released for a 30-day public review period from January 22, 2021 to February 23, 2021. The NOP and NOP comment letters are included as Appendices A and B, respectively, to the Draft EIR.
- A public scoping meeting was held via videoconference and teleconference through Zoom on February 10, 2021 to solicit comments regarding the scope of the Draft EIR.
- On September 8, 2022, the Draft EIR was submitted to the State Clearinghouse for distribution to State and local agencies, resulting in a 45-day public review period from September 8, 2022 to October 24, 2022.
- On September 8, 2022, a Notice of Availability (NOA) of the Draft EIR was posted to the City's website, mailed to local agencies and interested members of the public, and emailed to attendees of the NOP public scoping meeting.
- A physical copy of the Draft EIR was made available for review at the City of Manteca Community Development Department at 1215 West Center Street, Suite 201, Manteca, California 95337. The Draft EIR was also made available for online review by navigating from the City of Manteca Planning Division's website at <https://www.ci.manteca.ca.us/CommunityDevelopment/Planning%20Division/Pages/default.aspx>.
- The Draft EIR was made available for online review through the CEQA website at <https://ceqanet.opr.ca.gov/2013112049/5>.



All public comments received on the Draft EIR are listed in this chapter, and written responses to comments are included in Chapter 2, Response to Comments, as discussed in more detail in Section 1.4 of this chapter.

Water Quality Control Facility Phase IV Expansion

The City is currently undertaking 10 projects as part of the City's WQCF Phase IV Expansion that would enable the WQCF to meet the monthly average effluent limit of 10 milligrams per liter (mg/L) for nitrite and nitrite nitrogen currently set forth by the treatment plant's updated National Pollutant Discharge Elimination System (NPDES) discharge permit. As detailed in the City of Manteca WQCF 2021 Capacity Assessment, the City of Manteca has been expanding rapidly, which has resulted in increased wastewater flows and loadings to the WQCF.¹ To accommodate the population growth and adapt to changing permit requirements, the City completed various projects over the previous two decades to expand the WQCF and improve control of the treatment processes.

The most recent major expansion was the Phase III Expansion that was designed from 2001 to 2002 and constructed in a series of schedules (A, B, C, and D) over a period of several years. Schedule D was completed in 2007. The Phase III Expansion separated the main treatment processes into North and South Plants, resulting in an average flow capacity of 9.87 million gallons per day (mgd). However, subsequent to the completion of the Phase III Expansion, updated NPDES permit requirements established the aforementioned 10 mg/L monthly average effluent limit on nitrite and nitrite nitrogen discharges from the WQCF. As such, the Phase III designs did not consider or provide the necessary facilities to meet the currently permitted effluent limit as part of the 9.87 mgd design flow.

Pursuant to the WQCF 2021 Capacity Assessment, which evaluated the Phase III Expansion's ability to meet current NPDES permit requirements, the North and South Plants are challenged to meet the 10 mg/L monthly average nitrite and nitrite nitrogen effluent limit and modifications to existing facilities and/or operations were found to be necessary to improve nitrogen removal performance for existing flows and loads. To ensure compliance with current permit requirements, the WQCF 2021 Capacity Assessment identified the following 10 wastewater treatment improvements, which the City is currently in the process of undertaking as part of the Phase IV Expansion:

1. New Glycerin Injection Systems in the North and South Plants;
2. Waste Activated Sludge Pump Replacements in the North and South Plants;
3. Return Activated Sludge Pump Replacement in the South Plant;
4. Internal Mixed Liquor Recycle Pump Replacements in the North and South Plants;
5. Fix Flow Split to the North Plant Aeration Basins;
6. New Zone B Mixing Systems in the North and South Plants;
7. New Process Aeration Control in the North and South Plants;
8. Centrate Side Stream Treatment;
9. Installation of Centrifuge No. 3; and
10. Installation of Dissolved Air Floatation Thickener (DAFT) No. 2.

Of the 10 improvement projects identified in the WQCF 2021 Capacity Assessment, the first seven projects listed above are already funded and will be designed in the near future. Considering that the remaining three projects will also require funding and development in order for the WQCF to

¹ City of Manteca. *City of Manteca WQCF 2021 Capacity Assessment*. March 18, 2022.



meet the 10 mg/L monthly average nitrite and nitrite nitrogen effluent limit, the City of Manteca anticipates all 10 projects will secure funding and be developed.

As previously discussed, the 10 improvement projects identified in the WQCF 2021 Capacity Assessment are distinct from and not induced by the proposed project. Regardless of the City's approval of the proposed project, the City would require implementation of the Phase IV Expansion improvements in order to meet increased wastewater flows and loadings experienced in Manteca in compliance with the current requirements set forth by the WQCF's NPDES permit. As such, while completion of the Phase IV Expansion improvements will influence the timing of construction and operation of the proposed project, the 10 improvement projects do not affect the analyses or conclusions presented in the Draft EIR.

Pursuant to CEQA Guidelines Section 15088.5(a), a lead agency is required to recirculate a Draft EIR if "significant new information" is added after the Draft EIR is circulated but before certification. Significant new information is defined as information that changes the Draft EIR "...in a way that deprives the public of a meaningful opportunity to comment on..." a significant impact, a feasible way to mitigate an impact, or a feasible way to avoid an impact. The following identifies circumstances that would be considered "significant new information" that would trigger recirculation:

- Information that shows a new significant impact;
- Information that shows an increase in the severity of an impact (unless mitigation measures are identified to reduce it to acceptable levels);
- Information that identifies a feasible new alternative or mitigation measure considerably different from other analyzed alternatives or mitigation measures that would clearly lessen project impacts and the applicant declines to implement the measure; and/or
- Information that demonstrates that the Draft EIR was fundamentally flawed, basically inadequate, and conclusory in nature, thus, precluding meaningful public review and comment.

Pursuant to CEQA Guidelines Section 15088.5(b), recirculation is not required if the information added to an EIR merely clarifies, amplifies, or makes insignificant modifications. As demonstrated in this Final EIR, the WQCF Phase IV Expansion improvements provide additional details regarding implementation of the proposed project, and do not fall into any of the four circumstances identified by CEQA as triggering recirculation. The WQCF Phase IV Expansion improvements are distinct from the proposed project and do not cause the proposed project to result in new significant impacts or substantially more severe impacts beyond what were identified in the Draft EIR. Furthermore, the Phase IV Expansion improvements do not necessitate new alternatives or mitigation measures considerably different from those presented in the Draft EIR that would clearly diminish the severity of identified impacts and that the project applicant would decline to implement.

Overall, with development of the WQCF Phase IV Expansion improvements, the conclusions within the Draft EIR do not change. As such, recirculation of the Draft EIR is not required.

1.3 COMPOSITION OF THE FINAL EIR

Pursuant to CEQA Guidelines Section 15132, this Final EIR consists of the following:

1. Comments received on the Draft EIR (Chapter 2 of this Final EIR);



2. Revisions to the Draft EIR (Chapter 3 of this Final EIR); A list of persons, organizations, and public agencies commenting on the Draft EIR (included as Section 1.4 of this chapter); and
3. Any other information added by the Lead Agency.

1.4 LIST OF COMMENTERS

The City of Manteca received seven comment letters during the public comment period and two following the close of the comment period for the Draft EIR. The comment letters were authored by the following agency members and individual residents.

Agencies

Letter 1 California Department of Transportation – Tom Dumas
Letter 2 Central Valley Regional Water Quality Control Board – Peter Minkel
Letter 3 California Department of Fish and Wildlife – Kevin Thomas

Residents

Letter 4 Mike Azevedo
Letter 5 Kai Liu
Letter 6 Penny McNealy
Letter 7 David Rashé

Submitted After October 24, 2022 Deadline

Letter 8 David and Jackie Rashé
Letter 9 Theresa and John Henderson

1.5 CERTIFICATION OF THE FINAL EIR

State law requires that the City make several types of CEQA “findings” at the time of final action on the project. Findings describe the conclusions reached regarding particular issues, including specific evidence in support of those conclusions. The Final EIR typically provides much of the substantial evidence to support these findings. The required findings for the project are as follows:

- Certification of the Final EIR (CEQA Guidelines Section 15090) – These findings support the adequacy of the Final EIR for decision-making purposes. The Lead Agency must make the following three determinations in certifying a Final EIR:
 1. The Final EIR has been completed in compliance with CEQA.
 2. The Final EIR was presented to the decision-making body of the Lead Agency, and the decision-making body reviewed and considered the information in the Final EIR prior to approving the project.
 3. The Final EIR reflects the Lead Agency’s independent judgment and analysis.
- Findings Regarding Significant Impacts and Project Alternatives (CEQA Guidelines Section 15091) – These findings explain how the City chose to address each identified significant impact, including the mitigation measures adopted or an explanation of why such measures are infeasible. A discussion of the feasibility of project alternatives is also required by this section (see also CEQA Guidelines Section 15126.6[f]).



Pursuant to CEQA Guidelines, Section 15093(b), when a Lead Agency approves a project that would result in significant and unavoidable impacts, the agency must state in writing the reasons supporting the action (Statement of Overriding Considerations). The Statement of Overriding Considerations shall be supported by substantial evidence. The proposed project would result in significant and unavoidable impacts related to agricultural resources, greenhouse gas emissions, and transportation. Thus, a Statement of Overriding Considerations must be adopted if the project is approved. The required Findings of Fact and Statement of Overriding Considerations will be included as part of the resolution considered by the City of Manteca.

1.6 ORGANIZATION OF THE FINAL EIR

The Final EIR is organized into the following four chapters.

1. Introduction and List of Commenters

Chapter 1 provides an introduction and overview of the document, describes the background of the Draft EIR and the purposes of the Final EIR, provides a list of commenters, and describes the organization of the Final EIR.

2. Responses to Comments

Chapter 2 presents the comment letters received, and responses to each comment. Each comment letter received has been numbered at the top and bracketed to indicate how the letter has been divided into individual comments. Each comment is given a number with the letter number appearing first, followed by the comment number. For example, the first comment in Letter 1 would have the following format: 1-1. The response to each comment will reference the comment number.

3. Revisions to the Draft EIR Text

Chapter 3 summarizes changes made to the Draft EIR text including clarifications, modifications, and amplifications of the analysis. Section 15088.5 of the State CEQA Guidelines states that a lead agency is required to recirculate a Draft EIR when “significant new information” is added to the document after public notice is given of the availability of the Draft EIR for public review under Section 15087 but before certification. Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. The modifications to the Draft EIR identified in Chapter 3 have been examined with these requirements and obligations in mind. The City has determined that the provisions of Section 15088.5 of the CEQA Guidelines are not triggered and recirculation of this EIR is not required. A more detailed description of this determination will be included in the CEQA Findings of Fact described above.

4. Mitigation Monitoring and Reporting Program

CEQA Guidelines, Section 15097, requires lead agencies to adopt a program for monitoring the mitigation measures required to avoid the significant environmental impacts of a project. The intent of the Mitigation Monitoring and Reporting Program (MMRP) is to ensure implementation of the mitigation measures identified within the EIR for the proposed project.



2. Responses to Comments

2. RESPONSES TO COMMENTS

2.1 INTRODUCTION

The Responses to Comments chapter contains responses to each of the comment letters received during the Hat Ranch Project (proposed project) Draft EIR public review period.

2.2 RESPONSES TO COMMENTS

Each bracketed comment letter is followed by numbered responses to each bracketed comment. The responses amplify or clarify information provided in the Draft EIR and/or refer the reader to the appropriate place in the document where the requested information can be found. Comments that are not directly related to environmental issues (e.g., opinions on the merits of the project that are unrelated to its environmental impacts) are either discussed or noted for the record. Where revisions to the Draft EIR text are required in response to the comments, such revisions are noted in the response to the comment, and are also listed in Chapter 3, Revisions to the Draft EIR Text, of this Final EIR. All new text is shown as double underlined and deleted text is shown as ~~struck through~~.



California Department of Transportation

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Letter 1

October 19, 2022

10-SJ-120-PM R06.077
Hat Ranch Project
SCH#2013112049
DEIR

John Anderson
City of Manteca
Community Development Department
1001 West Center Street
Manteca, CA 95337

Dear Mr. Anderson:

1-1

The California Department of Transportation appreciates the opportunity to review the DEIR and Traffic Impact Study (TIS) for the Hat Ranch residential project. The project includes 738 residential units on a 187.4 acre site along with parks and an elementary/middle school. The project site is south of Rotelli Street, east of Taft Avenue, west of Pillsbury Road, and north of Sedan Avenue. The Department has the following comments:

1. Please make the following revisions to the Traffic Impact Study and submit to Caltrans for review and comment prior to project approval.

1-2

2. The electronic files of the Synchro/SimTraffic V11 analysis should be provided with the revised TIS. It is expected the TIS's queue analysis results shown in SimTraffic instead of Synchro to measure the full impact of queuing and blocking. Since the SimTraffic is designed to model networks of signalized and unsignalized intersections, closely spaced intersections with blocking problems, the effects of signals on nearby unsignalized intersections and driveways. Additionally, the SimTraffic should include 10-minute seed time and 60-minute record time of 15-minute interval, and the model should be recorded with average of 5 to 10 simulation runs. Please use Synchro/SimTraffic V11 for the analysis.

1-3

3. The Transportation Impact Study (TIS) needs to include the study scenarios of Existing Year Plus Project Plus Any Approved/Pending Projects such as Aretakis and LMC Manteca Emblem projects. Therefore, the applicant should contact the City of Manteca for additional information related to approved/pending projects.

4. The TIS needs to include queue analysis for the following study scenarios:

- Existing Conditions
- Existing Plus Project Conditions
- Existing Plus Project Plus Any Approved/Pending Project Conditions
- Cumulative No Project Conditions
- Cumulative Plus Project Conditions

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Mr. Anderson
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Letter 1 cont.

- 1-4 5. The output from the Travel Forecasting Model (TFM) for the City of Manteca General Plan Update that was used to develop the baseline (2021) VMT per single family residential household and the cumulative VMT per single family household needs to be provided together with the revised TIS.
- 1-5 6. On pg. 7 of the TIS, it states that the established Cumulative VMT per single family household is 91.4. However, based on Table 4: Project Vehicle Miles Traveled Analysis (Cumulative 2040 Conditions), it shows that the Citywide Cumulative (2040) VMT per Single Family Household is 77.7. Therefore, the Hat Ranch Project Baseline (Existing) Daily VMT and the Hat Ranch Project Cumulative (2040) VMT calculations need to be provided together with the revised TIS.
- 1-6 7. The raw traffic count data that was collected in 2019 (pre-COVID) needs to be provided together with the revised TIS.
- 1-7 8. What is the growth factor(s) that was used to adjust the collected 2019 (pre-COVID) traffic count data to represent existing 2021 AM and PM peak hour conditions? And how was the growth factor(s) derived from the City of Manteca General Plan Update TFM?
- 1-8 9. On Figure 2a, 2b, and 2c of the TIS, the figure title states, "Peak Hour Traffic Volumes and Lane Configurations – Existing Conditions." Therefore, the existing conditions year needs to be included.
- 1-9 10. Are the existing signalized intersections timing within Synchro on SR 120 WB Ramps & Main Street and SR 120 EB Ramps & Main Street based on the existing signal timings from D10 Signal and Ramp Meters unit? If not, please contact D10 Signal and Ramp Meters unit for existing signal timings and attached the existing signal timings into the appendix of the TIS.
- 1-10 11. The TIS and Synchro shows that the intersection of SR 99 NB Ramps & Austin Road is a side street stop control (SSSC). However, the intersection is an all way stop control (AWSC). Therefore, please revise the TIS and Synchro to analyze the impacts with the intersection corrected as AWSC.
- 1-11 12. How was the reduction for school related trips (walk, bike, and linked trips) calculated? Is there any study to support the reduction for school related trips? Please provide this information with the revised TIS.
- 1-12 13. Under existing year plus project conditions, Traffic COA #2 states "With the Improvement for the first unit of the project, the developer shall submit plans to the City of Manteca which propose improvements at the intersections below to mitigate the impacts to the to the General Plan mandated LOS requirements. The proposed improvements shall be reviewed and approved by the City Engineer prior to approval of the Improvements Plans. Developer shall install the traffic improvements with the improvements for the first unit of the project:"
i. SR 120 EB Ramps & Main Street

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Letter 1 cont.

1-12 cont.

- ii. SB SR 99 Off-Ramp & Moffat Boulevard
 - iii. Moffat Boulevard/Austin Road & SB SR 99 On-ramp
 - iv. Austin Road & NB SR 99 Off-ramp
- b. The proposed improvements for these intersections above should be submitted to Caltrans for review.
 - c. What is the interim mitigation for SR 120 EB Ramps & Main Street intersection during opening year of Hat Ranch Project?
 - d. When is the opening year for this Hat Ranch Project? And will this project occur before or after Phase 1A improvements of SR 99/SR 120 freeway-to-freeway interchange project?
 - e. If this project occurs before SR 99/SR 120 Phase 1A improvements project, then provide interim mitigation for the intersections of SB SR 99 Off-Ramp & Moffat Boulevard, SB SR 99 On-Ramp & Moffat Boulevard/Austin Road, and NB SR 99 Off-Ramp & Austin Road.
 - f. If this project occurs after the SR 99/SR 120 Phase 1A improvements project, then the traffic using SB SR 99 off-ramp and NB SR 99 on-ramp need to be reassign to a different interchange since these ramps will be closed.

1-13

14. On pg. 53 of the TIS, under Section 8.1 Transportation Impact Analysis, Mitigation Measure MM-TRA-1 summarizes transportation measures with VMT-reducing benefits that may be applicable at project or community level in the City of Manteca. Therefore, which potential measure from the MM-TRA-1: Implement VMT mitigation options list is feasible for Hat Ranch Project?

1-14

15. Cumulative Plus Project Conditions was analyzed with the assumption of SR 99/SR 120 interchange and SR 99 & Main Street interchange improvements were built and open to traffic. However, if these two interchange improvements were not fully built and open to traffic by the cumulative year of 2040, what mitigation measures should occur at the SR 120 on/off-ramps at Main Street and SR 99 on/off-ramps at Austin Road/Moffat Boulevard?

1-15

16. Caltrans recommends a Complete Streets approach to planning in this development and establishment of programs or methods to reduce VMT and support appropriate bicycle, pedestrian, and transit infrastructure.

- a. Facilities such as sidewalks, crosswalks, and bike lanes should be included to provide access between residences, parks, and schools.
- b. Caltrans recommends bus stops near the development to serve residents.
- c. Secure bicycle storage facilities, such as bike racks, should also be included at parks and schools.

If you have any questions, please contact me at 209-483-2582 or Nicholas Fung at (209) 986-1552.


Sincerely,

"Provide a safe and reliable transportation network that serves all people and respects the environment"



Mr. Anderson
October 19, 2022
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Letter 1 cont.



FOR

Tom Dumas
Chief, Office of Metropolitan Planning



**LETTER 1: TOM DUMAS, CALIFORNIA DEPARTMENT OF
TRANSPORTATION DISTRICT 10**

Response to Comment 1-1

The comment is an introductory statement and introduces requests for revisions that will be made in subsequent comments regarding the Transportation Analysis prepared for the proposed project by Fehr and Peers (see Appendix K of the Draft EIR).

Response to Comment 1-2

The electronic Synchro analysis files were submitted to the California Department of Transportation (Caltrans) for its use in reviewing the Draft EIR and Transportation Analysis prepared for the proposed project (see Appendix K of the Draft EIR). As detailed in the Intersection Analysis Methodology section, which starts on page 14 of the Transportation Analysis, the analysis used procedures and methodologies contained in the Transportation Research Board's Highway Capacity Manual, Sixth Edition. The aforementioned methodologies were applied using the Synchro 10 software, which considers traffic volumes, lane configurations, signal timings, signal coordination, and other pertinent parameters of intersection operations.

Response to Comment 1-3

In accordance with the requirements for analyzing potential transportation-related impacts under CEQA and guidance from the City of Manteca, the Transportation Analysis includes trip generation analysis (single-family detached housing and school-related vehicle trips), vehicle miles traveled (VMT) analysis (per single-family household), and intersection level of service (LOS) (AM and PM peak hour) analysis.

Furthermore, as part of the Traffic Operations Analysis Report (TOAR) prepared by Fehr and Peers for the Project Approval/Environmental Document for the State Route 99/State Route 120 Improvement Project, a detailed queueing analysis was submitted to Caltrans; however, the request for a queueing analysis for the proposed project is outside the scope of requirements for a CEQA Traffic Impact Study. Therefore, the discussions and analyses in Chapter 4.12, Transportation, of the Draft EIR are adequate.

Response to Comment 1-4

The VMT analysis, included in Tables 3 and 4 of the Transportation Analysis on pages 16 and 17, respectively, was derived from the City of Manteca Travel Demand Model that was developed for the City's General Plan Update.

As detailed on page 11 of the Transportation Analysis, the Base Year Travel Forecasting Model (TFM) used as part of the study's VMT forecasting incorporated base year land use data for dwelling units (single family and multi-family) and employment (food, retail, office, industrial, medical, government, and school), as well as the roadway network (lanes, speed, and capacity class), based on existing data (i.e., 2019). The TFM trip generation rates were derived from the Institute of Transportation Engineer's Trip Generation Manual and include appropriate inbound/outbound trip generation rates for residential and employment land uses for AM and PM peak hour conditions. In addition, the Cumulative Year 2040 TFM used as part of the Transportation Analysis was developed based on expected future land uses and the future transportation network in the City of Manteca and adjacent areas in 2040. Similar to other cities in the Central Valley region, the City of Manteca is projecting a large amount of growth for both



housing and employment in the next 20 years. The Cumulative Year 2040 TFM scenario was developed in coordination with both the cities of Manteca and Lathrop to ensure that the TFM represents market-based demand for future growth in both housing (population) and employment, and therefore, does not underestimate or overestimate traffic demand volumes.

Response to Comment 1-5

As stated on page 7 of the Transportation Analysis prepared for the proposed project, “The established Cumulative VMT per single family household is 91.4. Therefore, single family residential projects that exceed 77.7 VMT per household (a 15 percent reduction compared to the cumulative 91.4 VMT) would be considered to have a significant transportation impact. Projects that generate less than 77.7 VMT per household would be considered to have a less than significant transportation impact.” Accordingly, the 77.7 VMT threshold was used in Table 4 on page 17 of the Transportation Analysis in order to determine if the Hat Ranch Project Cumulative (2040) VMT Per Single Family Household of 83.0 would result in a VMT transportation impact. As detailed on page 4.12-18 of the Draft EIR, because the proposed project would generate an estimated average of 83.0 VMT per single-family household under Cumulative Plus Project Conditions, which represents an approximately 6.8 percent increase from the Cumulative VMT threshold conditions, the project would generate vehicle travel exceeding 15 percent below the established baseline, and a significant impact could occur. The Draft EIR requires that Mitigation Measure 4.12-4 be implemented to address the potential impact; however, even with implementation of the mitigation measure, the impact would remain significant and unavoidable.

Response to Comment 1-6

Traffic count data collected in 2019 (pre-COVID) were adjusted (i.e., increased) to represent Existing AM and PM peak hour conditions (2021). Figures 2a, 2b, and 2c of the Transportation Analysis display the intersection turning movement counts at study intersections under Existing conditions. Figure 2a presents Intersections 1 through 9, Figure 2b presents Intersections 10 through 18, and Figure 2c presents Intersections 19 through 28.

Response to Comment 1-7

Traffic count data collected in 2019 (pre-COVID) were adjusted (i.e., increased) based on growth factors derived from the City of Manteca General Plan Update Travel Forecasting Model and ranged from two to five percent per year, from 2019 to 2021.

Response to Comment 1-8

Figures 2a, 2b, and 2c display the Existing Year 2021 intersection turning movement counts at the study intersections.

Response to Comment 1-9

The Synchro signal timings used for the State Route (SR) 120/Main Street interchange intersections are based on the Existing signal timings from Caltrans District 10 Signal and Ramp Meter Unit.

Response to Comment 1-10

The analysis of Austin Road/SR 99 Northbound Ramps (Intersection 11) was revised from side street stop control to all-way stop control in Table 5 and Table 8 of the Transportation Analysis. Minor changes to the delay and LOS would not modify the conclusion that the City of Manteca is working with the San Joaquin Council of Governments (SJCOG) and Caltrans to improve the SR



120/SR 99 freeway-to-freeway interchange, which would result in LOS C conditions or better during both AM and PM peak hour conditions.

Response to Comment 1-11

With 738 single family dwelling units and a K-8 school located within the project site, a reduction for school-related trips was incorporated to represent students walking/biking and parents dropping off and picking up kids on their way to work or other activities (i.e., a linked vehicle trip). During the AM peak hour, this represented a 30 percent reduction. During the PM peak hour, this represented a nine percent reduction. On a daily basis, this represented a 10 percent reduction. Reductions are assumed based on trip rates from the Institute of Transportation Engineers (ITE) Trip Generation Manual 10th Edition.

Response to Comment 1-12

The City of Manteca Engineering Division will coordinate with Caltrans District 10 in the review and approval of improvements at the following four Caltrans intersections:

1. SR 120 Eastbound Ramps/Main Street;
2. SR 99 Southbound Off-Ramp/Moffat Boulevard;
3. Moffat Boulevard/Austin Road/SR 99 Southbound On-Ramp; and
4. Austin Road/SR 99 Northbound Off-Ramp.

The interim improvement for the SR 120 Eastbound Ramps/Main Street intersection will be determined in coordination with the City of Manteca and Caltrans District 10.

The timeline for construction for the proposed project and the Phase 1A improvements of the State Route 99/State Route 120 Improvement Project will be coordinated with the City of Manteca and Caltrans District 10; however, the improvements are anticipated to be open to traffic by 2024.

If the proposed project is constructed before the Phase 1A State Route 99/State Route 120 Improvement Project, interim improvements for the following intersections will be identified and coordinated with the City of Manteca and Caltrans District 10:

1. SR 99 Southbound Off-Ramp/Moffat Boulevard;
2. SR 99 Southbound On-Ramp/Moffat Boulevard/Austin Road; and
3. SR 99 Northbound Off-Ramp/Austin Road.

If the proposed project is constructed after the State Route 99/State Route 120 Improvement Project Phase 1A improvements, then project traffic that would have used the SR 99 Southbound Off-Ramp and SR 99 Northbound On-Ramp would use the SR 120/Main Street interchange.

Response to Comment 1-13

The VMT-reducing measures listed in MM-TRA-1 on page 53 of the Transportation Analysis were extracted from and are consistent with the City of Manteca 2040 General Plan Update. The City of Manteca is implementing citywide goals and policies to reduce VMT through increasing land use density and increasing multi-modal accessibility to key destinations. Both of the aforementioned VMT-reducing options have been incorporated into the proposed project by increasing the density of the single-family dwelling units per acre, incorporating pedestrian and bicycle amenities, and including a K-8 school site for the 738 dwelling units.



Response to Comment 1-14

Both of the interchange improvement projects are identified as Tier 1 Projects in SJCOG's Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The SR 120/Main Street interchange will be open to traffic by 2033. The State Route 99/State Route 120 Improvement Project Phase 1A improvements will be open to traffic by 2024. The Phase 1B improvements will be open to traffic by 2026, and the Phase 1C improvements will be open to traffic by 2040.

Response to Comment 1-15

The City of Manteca Active Transportation Plan and the Manteca General Plan Update policies are consistent with Caltrans' recommendation for the establishment of programs or methods to reduce VMT and support appropriate bicycle, pedestrian, and transit infrastructure. The comment is noted for the record and will be forward to the decisionmakers as part of their consideration of the proposed project.





Central Valley Regional Water Quality Control Board

24 October 2022

Letter 2

John B. Anderson
City of Manteca Community Development
Department
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COMMENTS TO REQUEST FOR REVIEW FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, HAT RANCH PROJECT, SCH#2013112049, SAN JOAQUIN COUNTY

2-1

Pursuant to the State Clearinghouse's 8 September 2022 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Draft Environmental Impact Report* for the Hat Ranch Project, located in San Joaquin County.

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

I. Regulatory Setting

2-2

Basin Plan

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

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

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

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the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf

In part it states:

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

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

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

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

2-2 cont.



2-2 cont.

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

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

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

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

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

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

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

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

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

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



401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at: [https://www.waterboards.ca.gov/centralvalley/water issues/water quality certification/](https://www.waterboards.ca.gov/centralvalley/water%20issues/water%20quality%20certification/)

Waste Discharge Requirements – Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: [https://www.waterboards.ca.gov/centralvalley/water issues/waste to surface water/](https://www.waterboards.ca.gov/centralvalley/water%20issues/waste%20to%20surface%20water/)

2-2 cont.

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:

[https://www.waterboards.ca.gov/board decisions/adopted orders/water quality/2004/wqo/wqo2004-0004.pdf](https://www.waterboards.ca.gov/board%20decisions/adopted%20orders/water%20quality/2004/wqo/wqo2004-0004.pdf)

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

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

[http://www.waterboards.ca.gov/board decisions/adopted orders/water quality/2003/wqo/wqo2003-0003.pdf](http://www.waterboards.ca.gov/board%20decisions/adopted%20orders/water%20quality/2003/wqo/wqo2003-0003.pdf)

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

[https://www.waterboards.ca.gov/centralvalley/board decisions/adopted orders/waivers/r5-2018-0085.pdf](https://www.waterboards.ca.gov/centralvalley/board%20decisions/adopted%20orders/waivers/r5-2018-0085.pdf)



2-2 cont.

Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

2-3

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.

Peter Minkel

Peter Minkel
Engineering Geologist

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



**LETTER 2: PETER MINKEL, CENTRAL VALLEY REGIONAL WATER
QUALITY CONTROL BOARD**

Response to Comment 2-1

The comment is an introductory statement and does not address the adequacy of the Draft EIR.

Response to Comment 2-2

The comment lists various regulatory and permitting requirements set forth and administered by the Central Valley Regional Water Quality Control Board (RWQCB); however, the comment does not address the adequacy of the Draft EIR.

Please see Chapter 4.8, Hydrology and Water Quality, of the Draft EIR, which includes discussions and evaluation of the proposed project's consistency with applicable regulations and standards set forth by the RWQCB.

Response to Comment 2-3

The comment is a conclusion and does not address the adequacy of the Draft EIR. The comment is noted for the record.



Letter 3



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
North Central Region
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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



October 21, 2022

Lea Simvoulakis
Planning Manager
City of Manteca
1011 W. Center Street
Manteca, CA 95337
lsimvoulakis@ci.manteca.ca.us

Dear Ms. Simvoulakis:

Subject: Hat Ranch Project
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
SCH# 2013112049

3-1

The California Department of Fish and Wildlife (CDFW) received and reviewed the Notice of Availability of a DEIR from the City of Manteca for the Hat Ranch Project (project) pursuant the California Environmental Quality Act (CEQA) statute and guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the project that may affect California fish, wildlife, native plants, and their habitat. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the project that CDFW, by law, may need to exercise its own regulatory authority under the Fish and Game Code.

3-2

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources, and holds those resources in trust by statute for all the people of the State (Fish & G. Code, § 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (Fish & G. Code., § 1802.) Similarly for purposes of CEQA, CDFW provides, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.



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project as proposed may result in “take” as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code is encouraged. CDFW also administers the Native Plant Protection Act, Natural Community Conservation Act, and other provisions of the Fish and Game Code that afford protection to California’s fish and wildlife resources.

PROJECT DESCRIPTION SUMMARY

The project site is located southeast of the City of Manteca limits in an unincorporated area of San Joaquin County at approximately latitude: 37.764339, and longitude: -121.192372.

3-3

The project consists of a master planned residential community of up to 738 dwelling units, two (2) neighborhood parks, and an elementary/middle school located on the project site. The proposed project would include the development of 634 traditional single-family detached homes and a unique district of 104 “half-plex” units. The existing 20,000-sf residence would be demolished and replaced with single-family lots consistent with the proposed development. The proposed project would require an annexation into the City of Manteca, Pre-zoning, a General Plan Map Amendment (GPA), approval of a Tentative Map, a Development Agreement, and approval of the Design Review Guidelines.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City of Manteca in adequately identifying and, where appropriate, mitigating the project’s significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources.

3-4

CDFW is primarily concerned with the project impacts to Swainson’s Hawk (*Buteo swainsoni*), Tricolored Blackbird (*Agelaius tricolor*), Western Burrowing Owl (*Athene cunicularia hypugaea*) and California tiger salamander (*Ambystoma californiense*). CDFW provides the following comments for the City of Manteca’s consideration:

1. **Mitigation and Take Authorization through CESA:** The DEIR states that the project proponent is seeking CESA take authorization through the San Joaquin Multi-Species Conservation Plan (SJMSCP). If the project is not approved under the SJMSCP for take coverage, CDFW encourages early coordination and a timely application for an Incidental Take Permit (ITP) to ensure there is adequate time for processing to avoid potential project delays.

3-5

Additionally, on page 4.4.-15 on the DEIR it states, “Taking may be authorized by CDFW if an approved habitat management plan or management agreement that avoids or compensates for possible jeopardy is implemented. In addition, CDFW requires preparation of mitigation plans in accordance with published guidelines.” Please note, the above referenced text does not accurately reflect the CESA take coverage options, which include but are not limited to an ITP, Consistency Determination, Safe Harbor Agreement, or Natural Community Conservation Plan. CDFW recommends this text is revised to more accurately reference CESA authorizations.



3-5 cont.

Furthermore, please update the DEIR to accurately state Fish and Code section 2081 (b) and (c), which discusses take and jeopardy:

(b) [CDFW] may authorize, by permit, the take of endangered species, threatened species, and candidate species if all of the following conditions are met:

(1) The take is incidental to an otherwise lawful activity.

(2) The impacts of the authorized take shall be minimized and fully mitigated. The measures required to meet this obligation shall be roughly proportional in extent to the impact of the authorized taking on the species. Where various measures are available to meet this obligation, the measures required shall maintain the applicant's objectives to the greatest extent possible. All required measures shall be capable of successful implementation. For purposes of this section only, impacts of taking include all impacts on the species that result from any act that would cause the proposed taking.

(3) The applicant shall ensure adequate funding to implement the measures required by paragraph (2), and for monitoring compliance with, and effectiveness of, those measures.

(c) No permit may be issued pursuant to subdivision (b) if issuance of the permit would jeopardize the continued existence of the species. [CDFW] shall make this determination based on the best scientific and other information that is reasonably available, and shall include consideration of the species' capability to survive and reproduce, and any adverse impacts of the taking on those abilities in light of (1) known population trends; (2) known threats to the species; and (3) reasonably foreseeable impacts on the species from other related projects and activities.

3-6

2. **Burrowing Owls:** The DEIR states that no burrows were detected within the project area during surveys. CDFW recommends that additional surveys for burrows are conducted after the agricultural land has been abandoned and prior to initiating project activities. If suitable burrows are identified, CDFW recommends that a qualified biologist conduct targeted surveys for Burrowing Owls following the methodology described in the *Staff Report on Burrowing Owl Mitigation* (2012), within 1-2 weeks prior to the start of construction. If Burrowing Owls or signs of Burrowing Owl presence such as whitewash, feathers, animal dung, etc. are not detected, no further mitigation will be recommended. If Burrowing Owls are observed within 500 feet of the project area, an Impact Assessment should be developed consistent with the *Staff Report on Burrowing Owl Mitigation* (2012) and submit the Impact Assessment to CDFW prior to initiating project activities for review. 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:

Occupied burrows will not be disturbed. If occupied burrows are found, a qualified biologist will ensure active nests are avoided and a no disturbance or destruction buffer be established. The buffer shall be kept in place until



3-6 cont.

after the breeding nesting season or the qualified 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 qualified biologist and will depend on 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.

3-7

3. **Lake and Streambed Alteration:** The DEIR has identified some heavily modified, and potentially isolated aquatic features on the project site. The DEIR did not analyze all potential temporary, permanent, direct, indirect and/or cumulative impacts to the above-mentioned aquatic features and associated biological resources/habitats that may occur because of the project. Therefore, CDFW recommends the DEIR propose appropriate avoidance, minimization, and/or mitigation measures to reduce impacts to a less-than-significant level including but not limited to project impacts to water temperature, water nutrient concentrations, and turbidity.

The DEIR has identified project activities that may require notification to CDFW pursuant to Section 1602 of the Fish and Game Code. Please update the applicable section on page 4.4-15 of the DEIR to reflect that Lake and Streambed Alteration (LSA) Notification is required for any activity that may do one or more of the following:

- Substantially divert or obstruct the natural flow of any river, stream, or lake;
- Substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or
- 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. Upon receipt of a complete notification, CDFW will determine if the project activities may substantially adversely affect existing fish and wildlife resources and whether a LSA Agreement is required. The project as currently proposed in the DEIR will require a LSA Agreement. A LSA Agreement will include measures necessary to protect existing fish and wildlife resources.

CDFW's issuance of a LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of a LSA Agreement, the DEIR should fully identify the potential impacts to any lake, stream, or riparian resources, and provide adequate avoidance, minimization, mitigation, and monitoring and reporting commitments.



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Letter 3 cont.

ENVIRONMENTAL DATA

3-8

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be submitted online or mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov.

FILING FEES

The project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

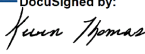
CONCLUSION

3-9

Pursuant to Public Resources Code §21092 and §21092.2, CDFW requests written notification of proposed actions and pending decisions regarding the proposed project. Written notifications shall be directed to: California Department of Fish and Wildlife North Central Region, 1701 Nimbus Road, Rancho Cordova, CA 95670 or emailed to R2CEQA@wildlife.ca.gov.

CDFW appreciates the opportunity to comment on the DEIR to assist in identifying and mitigating project impacts on biological resources. CDFW personnel are available for consultation regarding biological resources and strategies to minimize and/or mitigate impacts. Questions regarding this letter or further coordination should be directed to Zach Kearns, Environmental Scientist at (916) 358-1134 or zachary.kearns@wildlife.ca.gov.

Sincerely,

DocuSigned by:

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Kevin Thomas
Regional Manager

ec: Tanya Sheya, Environmental Program Manager
Billie Wilson, Senior Environmental Scientist (Supervisor)
Zach Kearns, Environmental Scientist
California Department of Fish and Wildlife

Office of Planning and Research, State Clearinghouse, Sacramento



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Hat Ranch Project
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REFERENCES

Staff Report on Burrow Owl Mitigation, March 7, 2012



LETTER 3: KEVIN THOMAS, CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Response to Comment 3-1

The comment is an introductory statement and does not address the adequacy of the Draft EIR.

Response to Comment 3-2

The comment provides background information on the regulatory role of the California Department of Fish and Wildlife (CDFW) and cites applicable sections of State codes that provide CDFW with regulatory authority to ensure the State's plant, wildlife, and habitat resources are conserved, protected, and managed properly. The comment is an introductory statement and does not address the adequacy of the Draft EIR.

Response to Comment 3-3

The comment summarizes the project components and does not address the adequacy of the Draft EIR.

Response to Comment 3-4

The commenter introduces primary concerns about specific special-status species, which are discussed further in subsequent comments below.

As detailed on page 4.4-24 of the Draft EIR, the proposed project is required through Mitigation Measure 4.4-1 to seek coverage under the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) and to mitigate for habitat impacts to covered species through applicable SJMSCP requirements, including compliance with the adopted Incidental Take and Minimization Measures (ITMMs). As such, the proposed project will comply with California Endangered Species Act (CESA) take requirements for special-status species.

Response to Comment 3-5

In response to the comment, the second paragraph under the California Endangered Species Act (CESA) subheading on page 4.4-15 of the Draft EIR is hereby revised as follows:

CESA prohibits the taking of State-listed endangered or threatened plant and wildlife species. The CDFW exercises authority over mitigation projects involving State-listed species, including those resulting from CEQA mitigation requirements. Taking may be authorized by CDFW if an approved habitat management plan or management agreement that avoids or compensates for possible jeopardy is implemented. In addition, CDFW requires preparation of mitigation plans in accordance with published guidelines. CDFW may authorize the take of any such species if certain conditions are met. CESA take coverage options include, but are not limited to, an Incidental Take Permit (CFG Section 2081(b)), Consistency Determination (CFG Section 2080.1), and/or Safe Harbor Agreement (CFG Sections 2089.2-2089.26).

With respect to take coverage through an Incidental Take Permit, CFGC Section 2081(b) provides that CDFW may authorize, by permit, the take of an endangered species, threatened species, and candidate species, if all of the following conditions are met:

1. The take is incidental to an otherwise lawful activity;
2. The impacts of the authorized take shall be minimized and fully mitigated. The measures required to meet this obligation shall be roughly proportional in extent to the



impact of the authorized taking on the species. Where various measures are available to meet this obligation, the measures required shall maintain the applicant's objectives to the greatest extent possible. All required measures shall be capable of successful implementation. For purposes of this section only, impacts of taking include all impacts on the species that result from any act that would cause the proposed taking; and

3. The applicant shall ensure adequate funding to implement the measures required by paragraph (2), and for monitoring compliance with, and effectiveness of, those measures.

Pursuant to CFGC Section 2081(c), an Incidental Take Permit may not be issued as established by Section 2081(b) if issuance of the permit would jeopardize the continued existence of an endangered species, threatened species, and/or candidate species. CDFW determines issuance based on the best scientific and other information that is reasonably available. As part of the determination, CDFW considers a species' capability to survive and reproduce, and any adverse impacts of the taking on those abilities in light of known population trends, known threats to the species, and reasonably foreseeable impacts on the species from other related projects and activities.

In addition, as established by CFGC Section 2800 et seq., a Natural Community Conservation Plan (NCCP) is the State counterpart to the federal Habitat Conservation Plan (HCP). An NCCP provides a means of complying with the Natural Community Conservation Plan Act and securing take authorization at the State level. The Natural Community Conservation Plan Act is broader than FESA and CESA. The primary objective of the NCCP program is to conserve natural communities at the ecosystem scale while accommodating compatible land uses. To be approved by CDFW, an NCCP must provide for the conservation of species and protection and management of natural communities in perpetuity within the area covered by permits.

The above changes clarify the CESA take coverage options and do not alter the analyses or conclusions of the Draft EIR.

Response to Comment 3-6

The proposed project is required through Mitigation Measure 4.4-1 (see page 4.4-24 of the Draft EIR) to seek coverage under the SJMSCP and to mitigate for habitat impacts to covered species through applicable SJMSCP requirements, including compliance with the adopted ITMMs. As required by SJMSCP Section 5.2.2, project proponents must complete preconstruction surveys prior to ground-disturbing activities to determine if SJMSCP Covered Species have been successfully relocated and/or to determine if other ITMMs have been implemented. Thus, preconstruction surveys would be completed for burrowing owl, as well as other ground-nesting birds. Additionally, as required by SJMSCP Section 5.2.4.15, project proponents must prevent ground squirrels from occupying a project site early in the planning process through employing at least one of several practices set forth by the SJMSCP. If the aforementioned practices were not attempted or were attempted but failed, the SJMSCP further requires that burrowing owls, if on-site during the non-breeding season, must be passively relocated in accordance with the protocol described in the CDFW Staff Report on Burrowing Owl Mitigation. If on-site during the breeding season, the SJMSCP prohibits occupied burrows from being disturbed and requires a 75-meter protective buffer unless specific conditions are met.

Thus, through compliance with Mitigation Measure 4.4-1, the proposed project would be subject to sufficient requirements to prevent the take of burrowing owls. The comment is noted for the record and will be forwarded to the decisionmakers as part of their consideration of the proposed project.



Response to Comment 3-7

As detailed under Impact 4.4-3 on page 4.4-25 of the Draft EIR, the majority of the project site is planted with grapes, with the only exception being where a large residence exists and landscape vegetation is planted. Pursuant to the Biological Resource Analysis (BRA) prepared for the proposed project by Monk & Associates, Inc., the project site does not include areas that would constitute farmed wetlands or would otherwise suggest agricultural activities converted waters of the U.S. into cropland. Similarly, areas designated for off-site improvements also do not include farmed wetlands or converted waters of the U.S., as locations for the proposed project's off-site improvements consist of unpaved roadways adjacent to neighborhood communities and agricultural land uses. Based on the project existing setting, the Draft EIR concludes the proposed project would not have a substantial adverse effect on State or federally protected wetlands through direct removal, filling, hydrological interruption, or other means, and a less-than-significant impact would occur.

Furthermore, the Draft EIR discloses on page 4.4-2 that according to the 1972 USGS Manteca quadrangle, a dashed blue-line drainage cuts through the northwestern corner of the project site, exits the site, and then re-enters the northern end of the northeastern side of the site. However, as detailed in the discussion, the drainage appears to have been historically channelized and current evidence of the drainage does not exist on-site. Agricultural activities on- and off-site have likely changed the natural drainage patterns, resulting in the removal of this feature sometime in the distant past. As such, the Draft EIR does not identify heavily modified and potentially isolated aquatic features on the project site, as suggested by the commenter.

Response to Comment 3-8

The proposed project is subject to all applicable requirements set forth by the California Environmental Quality Act (CEQA) and will, therefore, comply with the provisions cited by the comment, including those pertaining to reporting of special-status species and payment of fees. The comment is noted for the record and will be forwarded to the decisionmakers as part of their consideration of the proposed project.

Response to Comment 3-9

The comment is a conclusion and does not address the adequacy of the Draft EIR. As requested, the City of Manteca in its role as Lead Agency will notify CDFW in writing of the proposed actions and pending decisions related to the proposed project. The comment is noted for the record and will be forwarded to the decisionmakers as part of their consideration of the proposed project.



Hat Ranch Project

Letter 4

Comment from Mike Azevedo

2540 Eisenhower Place, Manteca, CA 95337
510-541-4631 geochelone@aol.com

4-1

I live in Manteca and have a view of the Hat Ranch Mansion out my upstairs bedroom window. That mansion was a wasted opportunity. Had it been used properly, it could have been a luxurious rental for high-end events. I hope that Manteca does not waste this new opportunity to do something meaningful in its new configuration.

My comments should apply to any new residential construction.

Manteca has the slogan “The Family City”. That’s a great slogan. It is meaningless. What, exactly, has Manteca done to earn that name? If you take my suggestions, I believe that at least this project will come closer than other projects to being a family community.

Wide Park “Multi-Use Trails”.

4-2

My nearest park, “Evans Estate Park”, is a sizeable neighborhood park with lots of grass and a sidewalk all around it. The park is bustling with park-users every morning and evening, despite its poor design. That sidewalk is NOT wide enough for the kind of use that park gets. The sidewalk, so narrow that two people would have to be careful as they walk past each other in different directions, is not designed for recreation purposes, to the point that most people walk their dogs, jog, run, etc... in the street.



Letter 4 cont.

The bike path around that park is PAINT. Think about it. You have a 12 year old who wants to go to the park and ride their bike and their only option is to ride around with nothing between them and passing cars. That's not a family city to me.

A class I bikeway would have pavement or concrete paths with at least a couple of feet of landscaping between the street and the path. The bikeway should be between 8 feet and 12 feet wide. In this case, there is NO reason not to go with a full 12 foot multi-use bike-path to allow for busy shared recreation to be happening OFF the street. With joggers, bicyclists (youths, adults, families), dog walkers, groups of walkers, all extremely common users at Evans Estate Park. A park with a multi-use trail fashioned as a wide class I bikeway would be as well used as the grassy area each day.

From the proposed Manteca General Plan:

CF-4.2 Expand, renovate, and **maintain high quality parks, trails, and recreation facilities**, programs, and services **to accommodate existing and future needs that address traditional and nontraditional recreation, active and passive recreation, wellness**, historical, cultural arts, environmental education, conservation, accessibility, inclusion, diversity, **safety**, and new technology.

Manteca's parks look the same. There is no variety and they certainly do not "accommodate existing and future needs that address traditional and nontraditional recreation". Wide multi-use trails will allow for all kinds of shared use, performed at the same time.

Evans Estate Park has a large playing field that is well-used on Saturday mornings. The whole field is full of soccer players and spectators. The parking strips are full of cars, meaning the painted bike lanes are now useless, as children riding bikes are pushed into the street. They can't

4-2 cont.



Letter 4 cont.

legally ride on the sidewalk. The concept of shared recreation ON WEEKENDS is ruined.

I heartily ask that new parks in Manteca be fitted with full perimeter multi-use trail, preferably 10 or 12 feet wide.

Again, from the general plan:

CF-4.3 Uphold design, construction, implementation, and maintenance standards to **ensure high quality parks, trails, and recreation facilities**, programs, and services, now and into the future.

Add Class I bike trails outside of parks, for children to ride safely to school

Bike commuting is something to be encouraged, and bike trails are necessary for this worthwhile, gas-saving, recreational and healthy wave of the future, but Manteca has more work to do on this. I've been seeing class I bike trails here and there and that needs to continue. Bike trails are good places to recreate, for kids to ride by themselves, for bike commuters to use as a cut-through away from traffic and more. The goal should be to have bike trails that lead all throughout Manteca to the train stations and transportation centers.

Again, from the general plan:

C-2b When planning roadway facilities, incorporate the concept of complete streets. **Complete streets include design elements for all modes that use streets, including autos, transit, pedestrians, and bicycles.** Complete streets shall be developed in a context-sensitive manner. For example, **it may be more appropriate to provide a Class I bike path instead of bike lanes along a major arterial. Pedestrian districts like Downtown Manteca or areas near school entrances**

4-2 cont.



Letter 4 cont.

should have an enhanced streetscape (e.g., narrower travel lanes, landscape buffers with street trees, etc.) to better accommodate and encourage pedestrian travel.

I believe that Class I bikeways will be one component of an effort to make Manteca more family friendly, because it will make bike riding safer for both families as a whole, bike commuters, youths unsupervised and as shared recreational paths for any number of future purposes.

.....

Use native plants- for wildlife habitat and fighting drought.

Again, from the general plan (this next one is excerpted from a quote used above):

CF-4.2 Expand, renovate, and **maintain high quality parks, ... to accommodate ... environmental education, conservation....**

Although conservation is mentioned in the proposed general plan, it is missing from any actions I've seen by the city anywhere. What, exactly, has Manteca done, thus far, to promote conservation, apart from having a curbside recycling program? I have several requests based on some conservation principles that I will lay out.

Manteca's parks are grass-heavy. Clearly, Mantecans make good use of the lawn fields for recreation such as youth soccer. That being said, it wouldn't take that much innovation to carve out a larger portion of upper level lawns and make them chipped planted landscaping with drought tolerant native plants. Current park plants include Australian bottle brush and other non-native plants. Parks should be a place where our local butterflies and moths find host plants. Native birds depend on native insects, especially caterpillars, according to Author

4-2 cont.



Letter 4 cont.

and Professor Doug Tallamy. He lectures on the need to plant more natives, and advocates converting some of our lawn to native plants.

According to the California Native Plant Society website Calscape.org, Manteca has a number of trees native here.

Fremont Cottonwood

Valley Oak

White Alder

Oregon Ash

Interior Live Oak

Northern Black Walnut

Black Elderberry

4-2 cont.

Placing some native trees in landscaping rather than lawn

Valley Oak for one is seen in some Manteca park landscaping, but there is a problem. While Valley Oak is a host plant to many native butterflies and moths, many of these reproduce by dropping in chrysalis form to the ground below in order to pupate into an adult butterfly or moth. They would hide in the duff below, but of course, there are hardly any park-trees in Manteca that are not planted in lawns. This means that any of these butterflies that rely on dropping to the ground would be chopped up by lawn mowers.

People love sitting on grass in the shade of trees in our parks, but if we could have more chipped areas along the street level sections of parks, with trees and shrubs that would allow for a higher survival rate for our butterflies, that would be something that the city could do in the line of conservation. Although you wouldn't be sitting in the grass under an tree in landscaping, picnic tables and benches could be placed there to allow for the use of the shade. By having some trees in shade and



Letter 4 cont.

some in lawn, there would be a wider variety of ways to enjoy the shade.

Pollinator gardens with light fencing

It might sound strange to suggest that we could have fenced areas in the park, but a lightly-fenced area with flowering native bushes such as lupines, sages, ceanothus and manzanitas could actually be the aesthetic highlight of the park. It could also allow for signage, to conform with that line from the draft general plan “**maintain high quality parks, ... to accommodate ... environmental education**”

The fence does not have to be high or impenetrable. It is more of a suggestion to give nature a little breathing room within Manteca. It could be a butterfly garden, something that Mantecans will probably largely support.

4-2 cont.



Letter 4 cont.

These landscaped areas could have breaks in them for access to the lawns below.



4-2 cont.

Manteca's native shrubs according to Calscape include:

- Silver bush Lupine
- California Grape (also a good ground cover)
- California Wild Rose
- Linear leaved Goldenbush
- Coffeeberry

Letter 4 cont.

Other California Natives that could contribute to our local native insects include:

Coyote Bush

(there are low forms of this that make great landscape plants using little if any water)

Buck Brush (Ceanothus)

California Yerba Santa

Manzanita (hybrids exist that are fairly easy to find, such as Howard McMinn)

Ceanothus. (hybrids exist such as Ray Hartman, Concha and Julia Phelps)

4-2 cont.



As I said, there are sages, manzanitas, ceanothus and many other California natives that would contribute to local native insects and be drought tolerant. It is better to go with natives than “Mediterranean



Letter 4 cont.

non-natives” because native plants contribute to our local natural heritage. Many native California trees can and should be used as street trees, park trees and trees planted for other purposes.

Sense of Place



4-2 cont.

Manteca’s natural history was largely destroyed for agriculture and later, development. Very few examples of any natural habitat restoration exist in Manteca apart from near the freeways, despite dozens of neighborhood parks. Thankfully, there are some native trees and a few native bushes in our parks and along the freeways. But the lack of real attempts to help out our pollinators and other wildlife habitat by simply planting native plants in our parks and other landscaping is a crying shame.



Letter 4 cont.

Manteca should look like Manteca, not a hodge-podge of plants from overseas. Just as our natural parks such as Caswell can show us what Manteca might have looked like in days gone by, our parks can do that, too.

Conclusion

Again, from the general plan:

RC-9.4 Conserve existing native vegetation, where possible, and integrate regionally native plant species into development and infrastructure

4-2 cont.

RC-9a Continue to require projects to comply with the requirements of the County Habitat Plan when reviewing proposed public and private land use changes.

RC-12.5 Encourage compatibility between agricultural practices and wildlife habitat.

I included this one because there should be efforts to see what can be done to preserve or restore wildlife habitat through development as well. The general plan does address habitat restoration but chiefly along the Delta. This is important but the fact is there is a lot of Manteca that is not in the riparian zone and yet still had wildlife habitat at one time.

Drought tolerance, bike safety, multi-use recreation and wildlife habitat are needs that have been largely ignored in Manteca's cookie cutter lawn parks. I'm truly hoping you incorporate these things into the Manteca parks of the future.



Letter 4 cont.

4-2 cont.

I have connections to the California Bluebird Recovery Program, San Joaquin Audubon Society, Northern San Joaquin chapter of the California Native Plant Society and other organizations. If there is anything I can do to help, please let me know at contact info above.

-Mike Azevedo



LETTER 4: MIKE AZEVEDO

Response to Comment 4-1

The comment is an introductory statement and does not address the adequacy of the Draft EIR. However, the comment will be forwarded to the decisionmakers as part of their consideration of the proposed project.

Response to Comment 4-2

The comment recommends modifications to the City of Manteca Standards and Specifications for Landscape Development, to which the commenter indicates future development projects, including the proposed project, should be subject. The comment does not specifically address the adequacy of the Draft EIR.

The comment is noted for the record and will be forwarded to the decisionmakers as part of their consideration of the proposed project. Please see the analyses and discussions in Chapter 4.1, Aesthetics, and Chapter 4.11, Public Services, Recreation, Utilities, and Service Systems, of the Draft EIR regarding the proposed project's consistency with applicable regulations and standards related to visual quality and recreational facilities.



Letter 5

From: Kai Liu <pri.k.liu@icloud.com>
Sent: Tuesday, September 27, 2022 4:57 PM
To: Simvoulakis, Lea <lsimvoulakis@ci.manteca.ca.us>
Subject: Re: Questions on Hat Ranch project

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 Lea,

5-1

As mentioned in the earlier email, I'm a current Manteca resident living on Polk St. I've been following the Hat Ranch project for a while. I noticed recently that the draft EIR for this project is already out and posted on city's website. I would like to submit a few comments after reading the draft EIR.

5-2

First, I applaud the change made to the Polk St extension in the draft EIR. Now, it looks like the Polk St would end in the west parcel of the project, and traffic would need to "side step" to the north to get through. If this version of layout becomes the final version and the outer major roads surrounding the new development are also built as promised, the project footprint on the existing Polk St would be way more manageable in my opinion - at least my family can accept the current layout with no problem. **BUT ALL THAT SAID, since this is still not the final EIR yet, and further changes are still possible, I want to take this chance to reiterate the grave importance of avoiding making Polk St an ultra-long, super-straight, east-west "artery" of the new development. This is my family's No.1 concern over this project.** (The reason for this had been mentioned numerous times in and after the scoping meeting - both by me and by many other neighbors: Traffic speed, traffic load, aesthetics, noise and privacy... etc. I assume everyone's already on the same page now, so we have the fix.) Further, I wanted to add that when my family moved to our new home at the end of 2018, we DID expect more neighbors to show up when we saw the temporary stub pointing toward the ranch, but turning Polk St into a "Polk Expressway" is a bit of an abuse of our expectation.

5-3

Second, I also noticed that, in the draft EIR, the construction of Antone Raymus Parkway (half-width) and Atherton Drive extension (half-width) are now explicitly noted - this is again an important (and welcoming) change for my family living on Polk. However, I want to



Letter 5 cont.

5-3 cont.

confirm two things:

a) I wanted to confirm that the Antone Raymus Parkway section mentioned here would indeed run from the main street all the way to the Atherton Drive extension, with no right-of-way or right-to-access obstacles, will be of same quality as other newly built major Manteca public road (like newly paved South Main), and will be always open to the public. (If a road is built but there's a blockade at the end of the road then this road is equal to non-exist. I'm especially concerned about the ROW to the south of Evans Estate, and the right to connect with the main street - would left turn be allowed there?)

5-4

b) I wanted to confirm that the open date of these two major outer streets will be earlier than the start of the development inside the project boundary - I feel the opening of the outer streets should be a prerequisite to the project. Unlike Griffin Park, currently there is no major public road serving the future development sites of Hat Ranch. From infrastructure work to home building, there needs to be some dedicated access road - I don't think local, neighborhood roads in the vicinity are in a good position to serve this purpose. (I suggest a dedicated section to be added to the EIR to discuss about job site access and temporary job site vehicle overflow parking - given this project's special land-locked character. This is a realistic problem rather than a personal opinion. Even we Polk St residents all dedicate our front curb to the construction vehicles, Polk St is merely 1000 ft long...)

5-5

My third (and last) question is about the school on the east parcel - One thing is that I don't understand why there must be a school? If there is some business reckoning behind this, I would say going bold on parks - bike park, remote-controlled car raceway, dog park, disc golf course, even a park with lake - would also boost the selling price - and it would make the east parcel way less crowded. An early childhood center could also serve the need of "adding some school district land" and save the space. Another thing is that, if there must be a school, why kids living in Evans Estates can't go to that school. After the new school is built, kids living in Evans Estates would be the only ones in this area who can't walk to their school - this also put burden on parents. (On the surface, this seems to be not city planning-related thing, but if you think about kids living in place A need to travel to place B for school, while the schools near place A attract student traffic from other places, this is really unfair...) I hope the city could trigger some kind of review of school district after a certain number of homes are built - especially given how fast this part of the city is growing. (Or, if there's no more seats at a local school, either move another school closer, or don't develop that area. Current Nile Garden ES is located deep in the south, and it's getting "spill over" students from all new developments from west, north and east. Kids need playmates on the same street!)

5-6

At the end, what I want to say is that my general attitude toward this project is a still a welcoming one - In general, I like to see Manteca develop and I want to say "Welcome!" to the new neighbors. But all the above points are my family's genuine concerns based on a very basic principle - "one person's enjoyment shouldn't affect the enjoyment of others" - I believe the city of Manteca had always upheld this principal - and will do the same this time.

Thank you and all the best with ensuing planning/construction work!



Letter 5 cont.

Kai Liu

On 9/27/2022 7:21 AM, Simvoulakis, Lea wrote:

Hi Kai,

The developer may be having a community meeting after the EIR review period closes, but that is undecided at this point. There will also be two public meetings for hearings, one at Planning Commission and one at City Council. Those dates are not set yet. You can submit comments on the EIR through October 22 to me and then if you just have regular questions, you can ask those at any time. It is important to get comments on the environmental document by 10/22 though so that they can be incorporated into the Response to Comments section in the environmental document. Regular comments not on the EIR can be asked any time.

Feel free to reach out to me.

Thank you,

Lea C. Simvoulakis, Planning Manager

City of Manteca | Development Services Department

1215 W. Center St., Suite 201 | Manteca, CA 95337

Office: 209.456.8516

www.mantecagov.com

-----Original Message-----

From: Kai Liu <pri.k.liu@icloud.com>

Sent: Monday, September 26, 2022 5:36 PM

To: Planning Distribution <Planning@ci.manteca.ca.us>

Subject: Questions on Hat Ranch project

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.

Dear Sir or Madam at the planning division,

I'm a Manteca resident currently living on Polk St - and I've been following the proposed Hat Ranch project since its NOP for more than a year.

A few days ago, I saw there's a draft EIR posted on your website (posted 09/06/2022). I did find quite a lot of encouraging improvements in the draft EIR - but still I have a few questions.

So I'm just wondering: Would there be another "public input meeting" soon? (or not at all?) If no meeting will be planned anymore, can I



ask the questions here?

Letter 5 cont.

Thanks!

Kai

This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.



LETTER 5: KAI LIU

Response to Comment 5-1

The comment is an introductory statement and does not address the adequacy of the Draft EIR.

Response to Comment 5-2

The comment does not address the adequacy of the Draft EIR. Please see the discussions and analyses in Chapter 4.12, Transportation, of the Draft EIR. The comment is noted for the record and will be forwarded to the decisionmakers as part of their consideration of the proposed project.

Response to Comment 5-3

The comment does not specifically address the adequacy of the Draft EIR. The comment is noted for the record and will be forwarded to the decisionmakers as part of their consideration of the proposed project.

For informational purposes, the commenter is referred to Chapter 3, Project Description, of the Draft EIR, which details the proposed design of Antone Raymus Parkway. As discussed on page 3-12 of the Draft EIR, Antone Raymus Parkway would feature an east-to-west layout from Manteca Road to the Atherton Drive extension and would be constructed over two phases, interim condition and ultimate condition. The proposed project would be responsible for development of only the road's interim condition. Under the interim condition, the project applicant would be required to dedicate right-of-way (ROW) to the City of Manteca to accommodate a 65.5-foot half-width street section. The project would construct a new street structural section, curb, gutter, an eight-foot-wide meandering sidewalk parallel to the north of the road, landscaping with trees and an automatic irrigation system, street lights, signage, and striping. The improvements would be constructed from Main Street to the Atherton Drive extension. The Antone Raymus Parkway/Pillsbury Road intersection would be stop-controlled.

Response to Comment 5-4

The comment does not specifically address the adequacy of the Draft EIR. Chapter 4.12, Transportation, of the Draft EIR details potential impacts related to vehicle safety under Impact 4.12-3, which starts on page 4.12-16. As discussed therein, during project construction, equipment would be staged on-site. In addition, construction within the project site would not be anticipated to result in substantial road closures or otherwise interfere with citywide vehicle circulation. As a result, the Draft EIR concludes that impacts related to hazards and vehicle safety would not occur.

The comment regarding the timing of roadway construction is noted for the record and will be forwarded to the decisionmakers as part of their consideration of the proposed project.

Response to Comment 5-5

The comment does not address the adequacy of the Draft EIR. The comment is noted for the record and will be forwarded to the decisionmakers as part of their consideration of the proposed project.

For informational purposes, the commenter is referred to Chapter 4.11, Public Services, Recreation, Utilities, and Service Systems, of the Draft EIR, which evaluates potential impacts related to substantial adverse physical impacts that could occur through the provision of or need



for new or physically altered school facilities, the construction of which could cause significant environmental impacts. As detailed therein, the project site is located within the boundaries of the Ripon Unified School District (RUSD) and, thus, would be under the RUSD's jurisdiction.

Response to Comment 5-6

The comment is a conclusion and does not address the adequacy of the Draft EIR. The comment is noted for the record and will be forwarded to the decisionmakers as part of their consideration of the proposed project.



From: Penny Reid <prettypenny47@yahoo.com>

Letter 6

Date: October 11, 2022 at 7:14:12 PM PDT

To: john@jbandersonplanning.com

Subject: Hat house

6-1

I live by the hat house and was emotional when I read the story behind it!! Coworkers that come to my house always ask about it!! The story is phenomenal and if there was a way to submit this to Hollywood this is the story that successful movies are made from!!! I have been praying about this! Anyone have any ideas? Lifetime network? A e-mail or letter to a Producer? Come on Ripon and Manteca!! Let's get this story and huge house out there!

Penny McNealy

[Prettypenny47@yahoo.com](mailto:prettypenny47@yahoo.com)

209-351-0317



LETTER 6: PENNY MCNEALY

Response to Comment 6-1

The comment does not address the adequacy of the Draft EIR. The comment will be forwarded to the decisionmakers as part of their consideration of the proposed project.



From: David Rashe; <david.rashe@icloud.com>
Sent: Wednesday, September 14, 2022 12:38 PM
To: Simvoulakis, Lea <lsimvoulakis@ci.manteca.ca.us>
Subject: Re: Hat Ranch Project -SCH# 2013112049

Letter 7

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.

Lea,

Thank you. I'm concerned that other notified neighbors will not find the document either as the link provided in the letter does not even give the option to go to "Environmental" if the page they get to is the same as what I copied and pasted below.

7-1 Why do you suppose I got to the page I copied and pasted below and it is different than what you provided in the link below. This is a problem if you want the prescribed public comment period to follow law. If the public cannot access the information from the letter that was sent out in the notice then, it is essentially not posted and cannot be defended in court if the public comment period is challenged. It may be required for you to re-notice and provide the entire link, thus starting the public comment period over.

I'm going through the document and will forward my comments to you at a later date.

Thank you again for providing me the full link.

David J. Rashé

On Sep 14, 2022, at 10:56 AM, Simvoulakis, Lea <lsimvoulakis@ci.manteca.ca.us> wrote:

Hi David,

7-2 The link you pasted below takes you to the main Planning Division Documents Pages. From there you click Environmental, and the first item there is Hat Ranch.

The longer link is here:

<https://www.ci.manteca.ca.us/CommunityDevelopment/Planning%20Division/Pages/planning-division-documents.aspx?RootFolder=%2FCommunityDevelopment%2FPlanning%20Division%2FPlanning%20Division%20Documents%2FEnvironmental%2FHat%20Ranch%20EIR&FolderCTID=0x012000C1D839DE3D407540A4D0E9B464C9237D&View=%7BC6EFA1A9%2D842B%2D49CD%2D94D1%2DE0D08910FEFD%7D>

From: David Rashe; <david.rashe@icloud.com>
Sent: Wednesday, September 14, 2022 10:44 AM
To: Simvoulakis, Lea <lsimvoulakis@ci.manteca.ca.us>
Subject: Hat Ranch Project -SCH# 2013112049

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.

Hello,

I received the mailing regarding the draft /EIR for the above mentioned project. I have attempted to find the document at the <https://www.ci.manteca.ca.us/CommunityDevelopment/Planning%20Division/Pages/planning-division-documents.aspx> per the letter but there is no such document posted at that web page address. Here are the documents posted to date 9.14.2022

7-3

	Name	File Size	Modified
<image001.gif>	<image002.png>	<image002.png>	<image002.png>
<image003.png>	Union Crossing Planned Development	6330 KB	8/10/2020 5:24 PM
<image001.gif>	July 1 2020 Truck Route Video	445306 KB	7/20/2020 5:34 PM
<image003.png>	Residential Accessory Structure Development Std	444 KB	4/23/2019 10:27 AM
<image003.png>	Title 17 Zoning Rev May 5 2017	2753 KB	4/23/2019 10:27 AM
<image003.png>	Manteca Municipal Services Review July 2015	10834 KB	4/23/2019 10:27 AM



Letter 7 cont.

7-3 cont.

<image003.png>	Growth Management Point Rating Criteria	174 KB	4/23/2019 10:27 AM
<image003.png>	Manteca Government Operations Greenhouse Gas Emissions Inv	224 KB	4/23/2019 10:27 AM
<image003.png>	Great Wolf Economic Opportunity Report	1254 KB	4/23/2019 10:27 AM
<image003.png>	Great Wolf Lodge Economic Development Subsidy Report	429 KB	4/23/2019 10:27 AM
<image003.png>	2000 Manteca Census Data	99 KB	4/23/2019 10:27 AM
<image003.png>	Approved Street Trees List - Updated May 9, 2016	734 KB	4/23/2019 10:27 AM

Please provide me with the document or a revised web page address that allows me access to the draft EIR.

Thank you.

David J. Rashé



LETTER 7: DAVID RASHÉ

Response to Comment 7-1

As established by CEQA Guidelines Section 15203, a Lead Agency must provide adequate time for other public agencies and members of the public to review and comment on a Draft EIR that it has prepared. Pursuant to CEQA Guidelines Section 15105(a), when a Draft EIR is submitted to the State Clearinghouse for review by State agencies, the public review period must not be less than 45 days, unless a shorter period that is not less than 30 days is approved by the State Clearinghouse.

As detailed in Chapter 1, Introduction and List of Commenters, of this Final EIR, on September 8, 2022, the Draft EIR was submitted to the State Clearinghouse for distribution to State and local agencies, resulting in a 45-day public review period from September 8, 2022 to October 24, 2022. On September 8, 2022, a Notice of Availability (NOA) of the Draft EIR was posted to the City's website, and mailed to local agencies and interested members of the public. A physical copy of the Draft EIR was made available for review at the City of Manteca Community Development Department at 1215 West Center Street, Suite 201, Manteca, California 95337. The Draft EIR was also made available for online review by navigating from the City of Manteca Planning Division's Documents website at <https://www.ci.manteca.ca.us/CommunityDevelopment/Planning%20Division/Pages/Planning-Division-Documents.aspx>. In addition, the Draft EIR was made available for online review through the CEQA website at <https://ceqanet.opr.ca.gov/2013112049/5>.

Based on the above, in accordance with the requirements set forth by CEQA Guidelines Sections 15105(a) and 15203, the City of Manteca provided adequate time for other public agencies and members of the public to review and comment on the Draft EIR. However, the comment will be forwarded to the decisionmakers as part of their consideration of the proposed project.

Response to Comment 7-2

The comment is a response to the commenter's initial concerns related to accessing the Draft EIR. As demonstrated by the comment, the Draft EIR was made available for online review by navigating from the City of Manteca Planning Division's website. Please see Response to Comment 7-1. The comment will be forwarded to the decisionmakers as part of their consideration of the proposed project.

Response to Comment 7-3

Please see Responses to Comments 7-1 and 7-2. The comment will be forwarded to the decisionmakers as part of their consideration of the proposed project.



Letter 8

David and Jackie Rashé
1314 Mono Street

Response to draft EIR
October 26, 2022

Hat Ranch Draft EIR

8-1

The maps on pages Chapter 3-Project Description Page 3-7, 3-9, 3-14, 3-16 are incorrect maps and inconsistent with the project scope. Lots 356, 357, and 358 show what is currently a City (Publicly owned) greenbelt included as part of the lots. It also lists what is currently Mono Street as Woodward Park. The Map used by MacKay and Somps is a fictitious map and should be redone to reflect the true alignment of lots both proposed and existing, as well as, street names and adjacent subdivisions. These same maps have been picked up and used throughout the Draft EIR; sheets/pages: Chapter 4.10 – Noise Page 4.10-5, Volume 2 Draft Figure 2-2 (West/Yost), Hat Ranch Potable Water System Exhibit (MacKay & Somps).

State Regulations Related to Energy

Building Energy

The California Building Standards Commission adopted the California Code of Regulations, Title 24, 2022 Building Codes to include:

2022 California Building Code, Part 2 volumes 1 and 2,

2022 California Residential Code, Part 2.5,

8-2

2022 California Electrical Code, Part 3,

2022 California Mechanical Code, Part 4,

2022 California Plumbing Code, Part 5,

2022 California Energy Code, Part 6,

2022 California Green Building Standards Code, Part 11,

These codes were published by the Commission on July 1, 2022 and will go into effect on January 1, 2023 and will be known as the 2022 Codes. The Draft EIR has leaned heavily on the 2019 Codes for this report, however, with the 2022 Codes already published, it should have included the 2022 Codes as nothing in this project will be constructed until well into the 2022 Codes and perhaps even the 2025 Codes.



Letter 8 cont.

The map below was presented in the NOP scoping meeting and it shows the proposed development with backyards to the existing homes on Mono Street and Freestone. This is what the expectation would be and what the community was led to believe would one of the driving elements of the proposed layout of new homes where the new development touches Mono Street and Freestone. That is, that the lot lines of the new development would match as close as possible, the lot lines of the homes along Mono Street and Freestone.

8-3



On the map below, which is part of the Draft EIR, the lot arrangements along Mono Street and Freestone have been changed and no longer even attempt to match the lot lines for the existing lots On Mono and Freestone. This departure is contrary to what the neighborhood was told the design would be and poses a significant problem for Atherton lot 101 (1314 Mono Street). The problem is that houses now front on Veramonte which means the 1314 Mono Street will now



Letter 8 cont.

have a side yard to its backyard. With this alignment, 1314 Mono Street will now have the side of a house very close to its back fence if the setback is the minimum per the zoning or, if it has a larger setback on that side then it will likely become an area where a storage shed will be erected along the fence or, as is very common in Manteca, a recreational vehicle parked along that fence line. This is an unacceptable design situation and one that quite frankly does not work with the existing neighborhood. This situation occurs in two places as identified by the red arrows.

The green arrows show a row of proposed lots that are land locked by the greenbelt on Mono Street and again, encroach on public property that is not part of this project boundaries.

8-3 cont.



Letter 8 cont.

- 8-4** In the NOP scoping meeting and letters written in response, it was requested that the EIR include the following in regards to the traffic study:
Rail traffic and it did not take into account the road construction work at Austin, Woodward, and Moffat Road over the next 10 years as proposed. This was not done.
- 8-5** Lastly, the overall layout of the development is as bad as it could possibly be. The development has no greenbelts, it is not curvilinear as the neighborhoods surrounding it are and again, there is no need to put the parks attached to an existing park and attached to the school property. The parks should be spread out into greenbelts and smaller pocket parks as this would provide greater walkability and cycling. A more neighborhood friendly design would include wider spaces as greenbelts and the greenbelts would connect the entire neighborhood with the existing neighborhoods.
- 8-6** It appears that either the information discussed in the NOP scoping meeting was not passed along to the developer or, the developer keeps throwing out the worst possible neighborhood design just to get something that maximizes profit but minimizes livability. By making the developer provide a well throughout and cohesive design, there will be less challenges as this project move to the Planning Commission and City Council.



LETTER 8: DAVID AND JACKIE RASHÉ

Response to Comment 8-1

With respect to the figures cited by the commenter from Chapter 3, Project Description, of the Draft EIR, the Draft EIR incorporates the most current plan sheets in effect at the time of the start of the public review period for the Draft EIR. As such, the figures included in the Draft EIR correctly depict the layout of the proposed residences and are consistent with the project components.

With respect to proposed Lots 356, 357, and 358, the northern portion of the aforementioned lots is currently an undeveloped parcel identified by the City as Manteca Parcel ID 22637062 that is currently planted with landscaping vegetation. However, pursuant to the Manteca Zoning Portal, the parcel is zoned One-Family Dwelling Zoning District (R-1) and single-family dwellings are permitted by right at the location. As such, development of the parcel with single-family residences is consistent with the parcel's zoning district.

Finally, Figures 3-4 and 3-7 on pages 3-9 and 3-14 of the Draft EIR, respectively, do not identify Mono Street as Woodward Park. Rather, the references to Woodward Park indicate that the existing Woodward Park single-family residential community is located immediately to the north of the parcel to be developed to the east of Pillsbury Road. As such, the figures cited by the commenter are correctly labeled.

Based on the above, the discussions and analyses included in the Draft EIR, including the incorporated project plan sheets, are adequate.

Response to Comment 8-2

Pursuant to the requirements set forth by CEQA Guidelines Section 15121, the Draft EIR assesses all potential project impacts that could occur to all environmental issue areas required for analysis under CEQA. As part of such assessment, the Draft EIR evaluates the proposed project's consistency with applicable policies, regulations, and standards that are currently adopted at the federal, State, and local levels. Therefore, the Draft EIR's analysis of the proposed project's consistency with the currently adopted 2019 California Building Standards Code (CBSC) is adequate. The proposed project will be required to comply with the edition of the CBSC in effect at the time of building permit issuance. The 2022 CBSC builds upon, and is more stringent than, the 2019 CBSC. As such, through compliance with the 2022 CBSC, potential impacts related to energy consumption associated with the proposed project would be further reduced from the levels identified in the Draft EIR. The comment is noted for the record and will be forwarded to the decisionmakers as part of their consideration of the proposed project.

Response to Comment 8-3

As discussed in Chapter 4.1, Aesthetics, of the Draft EIR under Impact 4.1-3, which starts on page 4.1-15, the proposed project would be consistent with the proposed Planned Development standards, including standards related to setbacks, as well as applicable General Plan policies and Manteca Municipal Code development standards for the R-1 zoning district. As such, Impact 4.1-3 is concluded to result in a less-than-significant impact.

The comment does not specifically address the adequacy of the Draft EIR and, instead, addresses the design of the subdivision. The comment will be forwarded to the decisionmakers as part of their consideration of the proposed project.



Response to Comment 8-4

As detailed in Chapter 4.12, Transportation, of the Draft EIR on page 4.12-1, any project that did not initiate CEQA public review prior to July 1, 2020 must use vehicle miles traveled (VMT) rather than LOS as the metric to analyze transportation impacts. As such, the analysis in the Transportation chapter focuses on VMT. Thus, potential LOS effects that could occur from project-generated traffic, in conjunction with Union Pacific Railroad (UPRR) operations, are not required to be discussed in the Draft EIR.

The Draft EIR includes analysis of potential impacts related to vehicle safety under Impact 4.12-3, which starts on page 4.12-16 of the Draft EIR. As discussed therein, during construction equipment would be staged on-site and construction within the site would not be anticipated to result in substantial road closures or otherwise interfere with citywide vehicle circulation. Adequate emergency access would be provided, and following development of the proposed project, geometric hazards would not exist on-site. Finally, with respect to potential safety impacts that could occur as a result of the proposed project related to the UPRR tracks parallel to Moffat Boulevard in the project vicinity, as discussed on page 4.12-17 of the Draft EIR, the existing UPRR track crossings located nearest to the project site are along Woodward Avenue and Austin Road. Each crossing currently consists of crossing arms and lights to warn drivers of an approaching train. Neither are located along roadways that provide short driver sight distance of the crossing. The proposed project would not result in changes to either crossing. Therefore, project-generated traffic would not result in safety impacts associated with the existing UPRR track crossings along Woodward Avenue and Austin Road. Based on the above, the Draft EIR concludes that the proposed project would not substantially increase hazards and a less-than-significant impact would occur. Therefore, potential impacts related to project construction and the UPRR are addressed in the Draft EIR.

Response to Comment 8-5

The comment does not specifically address the adequacy of the Draft EIR. The commenter's opinions on the project design and recommendations for project revisions will be forwarded to the decisionmakers as part of their consideration of the proposed project.

Response to Comment 8-6

The comment does not address the adequacy of the Draft EIR. As discussed within the Introduction section of each technical chapter of the Draft EIR, the comments received in response to the Notice of Preparation (NOP) related to the scope of the CEQA analysis and were carefully reviewed and considered by the City of Manteca and are reflected in the analysis of each technical chapter. Please see Responses to Comments 8-1, 8-3, and 8-5. The comment is noted for the record and will be forwarded to the decisionmakers as part of their consideration of the proposed project.



Jason & Theresa Henderson
1326 Mono St.

Letter 9

Response to draft EIR
October 26, 2022

Hat Ranch Draft EIR

The maps on pages Chapter 3-Project Description Page 3-7, 3-9, 3-14, 3-16 are incorrect maps and inconsistent with the project scope. Lots 356, 357, and 358 show what is currently a City (Publicly owned) greenbelt included as part of the lots. It also lists what is currently Mono Street as Woodward Park. The Map used by MacKay and Somsps is a fictitious map and should be redone to reflect the true alignment of lots both proposed and existing, as well as, street names and adjacent subdivisions. These same maps have been picked up and used throughout the Draft EIR; sheets/pages: Chapter 4.10 – Noise Page 4.10-5, Volume 2 Draft Figure 2-2 (West/Yost), Hat Ranch Potable Water System Exhibit (MacKay & Somsps).

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9-1



Letter 9 cont.

The map below was presented in the NOP scoping meeting and it shows the proposed development with backyards to the existing homes on Mono Street and Freestone. This is what the expectation would be and what the community was led to believe would one of the driving elements of the proposed layout of new homes where the new development touches Mono Street and Freestone. That is, that the lot lines of the new development would match as close as possible, the lot lines of the homes along Mono Street and Freestone.

9-1 cont.



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Letter 9 cont.

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9-1 cont.



Letter 9 cont.

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Lastly, the overall layout of the development is as bad as it could possibly be. The development has no greenbelts, it is not curvilinear as the neighborhoods surrounding it are and again, there is no need to put the parks attached to an existing park and attached to the school property. The parks should be spread out into greenbelts and smaller pocket parks as this would provide greater walkability and cycling. A more neighborhood friendly design would include wider spaces as greenbelts and the greenbelts would connect the entire neighborhood with the existing neighborhoods.

It appears that either the information discussed in the NOP scoping meeting was not passed along to the developer or, the developer keeps throwing out the worst possible neighborhood design just to get something that maximizes profit but minimizes livability. By making the developer provide a well throughout and cohesive design, there will be less challenges as this project move to the Planning Commission and City Council.



LETTER 9: JASON AND THERESA HENDERSON

Response to Comment 9-1

Letter 9 is a duplicate of Letter 8. Please see Responses to Comments 8-1 through 8-6.



3. Revisions to the Draft EIR Text

3. REVISIONS TO THE DRAFT EIR TEXT

3.1 INTRODUCTION

The Revisions to the Draft EIR Text chapter provides all corrections, additions, and revisions made to the Draft EIR. Section 15088.5 of the State CEQA Guidelines states that a lead agency is required to recirculate a Draft EIR when "significant new information" is added to the document after public notice is given of the availability of the Draft EIR for public review under Section 15087 but before certification. Pursuant to this section, the term "information" can include changes in the project or environmental setting, as well as additional data or other information. New information added to an EIR is not considered "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the City has decided not to implement.

"Significant new information" requiring recirculation includes any of the following:

1. A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
3. A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.
4. The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. The changes presented herein offer minor clarifications and amplifications of the analyses contained in the Draft EIR and do not constitute significant new information that, in accordance with CEQA Guidelines Section 15088.5, would trigger the need to recirculate portions or all of the Draft EIR. As such, recirculation of the Draft EIR is not required.

3.2 DESCRIPTION OF CHANGES

New text is double underlined and deleted text is ~~struck through~~. Text changes are presented in the page order in which they appear in the Draft EIR.

4.4 Biological Resources

The second paragraph under the California Endangered Species Act (CESA) subheading on page 4.4-15 of the Draft EIR is hereby revised as follows:

CESA prohibits the taking of State-listed endangered or threatened plant and wildlife species. The CDFW exercises authority over mitigation projects involving State-listed species, including those resulting from CEQA mitigation requirements. ~~Taking may be authorized by CDFW if an approved habitat management plan or management agreement~~



that avoids or compensates for possible jeopardy is implemented. In addition, CDFW requires preparation of mitigation plans in accordance with published guidelines. CDFW may authorize the take of any such species if certain conditions are met. CESA take coverage options include, but are not limited to, an Incidental Take Permit (CFGC Section 2081(b)), Consistency Determination (CFGC Section 2080.1), and/or Safe Harbor Agreement (CFGC Sections 2089.2-2089.26).

With respect to take coverage through an Incidental Take Permit, CFGC Section 2081(b) provides that CDFW may authorize, by permit, the take of an endangered species, threatened species, and candidate species, if all of the following conditions are met:

1. The take is incidental to an otherwise lawful activity;
2. The impacts of the authorized take shall be minimized and fully mitigated. The measures required to meet this obligation shall be roughly proportional in extent to the impact of the authorized taking on the species. Where various measures are available to meet this obligation, the measures required shall maintain the applicant's objectives to the greatest extent possible. All required measures shall be capable of successful implementation. For purposes of this section only, impacts of taking include all impacts on the species that result from any act that would cause the proposed taking; and
3. The applicant shall ensure adequate funding to implement the measures required by paragraph (2), and for monitoring compliance with, and effectiveness of, those measures.

Pursuant to CFGC Section 2081(c), an Incidental Take Permit may not be issued as established by Section 2081(b) if issuance of the permit would jeopardize the continued existence of an endangered species, threatened species, and/or candidate species. CDFW determines issuance based on the best scientific and other information that is reasonably available. As part of the determination, CDFW considers a species' capability to survive and reproduce, and any adverse impacts of the taking on those abilities in light of known population trends, known threats to the species, and reasonably foreseeable impacts on the species from other related projects and activities.

In addition, as established by CFGC Section 2800 et seq., a Natural Community Conservation Plan (NCCP) is the State counterpart to the federal Habitat Conservation Plan (HCP). An NCCP provides a means of complying with the Natural Community Conservation Plan Act and securing take authorization at the State level. The Natural Community Conservation Plan Act is broader than FESA and CESA. The primary objective of the NCCP program is to conserve natural communities at the ecosystem scale while accommodating compatible land uses. To be approved by CDFW, an NCCP must provide for the conservation of species and protection and management of natural communities in perpetuity within the area covered by permits.

The foregoing revisions are for clarification purposes and do not affect the analyses or conclusions presented in the Draft EIR.

4.6 Geology, Soils, and Mineral Resources

Mitigation Measure 4.6-3, which begins on page 4.6-15 of the Draft EIR, is hereby revised as follows:

- 4.6-3 *Prior to grading permit issuance, the applicant shall submit plans to the City of Manteca Community Development Services Department for review and approval which indicate (via notation on the improvement plans) that if construction or grading activities result in the discovery of unique paleontological resources, all work within 100 feet of the discovery shall cease immediately. The applicant shall notify the City of Manteca Community*



Development Services Department, and the resources shall be examined by a qualified paleontologist at the applicant's expense, for the purpose of recording, protecting, or curating the discovery as appropriate. The paleontologist shall submit to the ~~Community~~ Development Services Department for review and approval a report of the findings and method of curation or protection of the resources. Work may only resume in the area of discovery when the preceding work has occurred.

The foregoing staff-initiated revisions are additionally reflected in Table 2-1 of the Chapter 2, Executive Summary, of the Draft EIR. The revisions are for clarification purposes and do not affect the analyses or conclusions presented in the Draft EIR.

4.10 Noise

Mitigation Measures 4.10-1(a) and 4.10-1(b), which begin on page 4.10-16 of the Draft EIR, are hereby revised as follows:

- 4.10-1(a) *Noise-generating construction activities associated with the proposed project shall only occur within the hours identified in City of Manteca Municipal Code Section 17.58.050. The above language shall be included on final project improvement plans, grading plans and building plans prior to approval by the City of Manteca ~~Community~~ Development Services Department.*
- 4.10-1(b) *To the maximum extent practical, as determined by the City of Manteca ~~Community~~ Development Services Department, the following measures shall be implemented during project construction:*
- *All noise-producing project equipment and vehicles using internal-combustion engines shall be equipped with manufacturers-recommended mufflers and be maintained in good working condition;*
 - *All mobile or fixed noise-producing equipment used on the project site that are regulated for noise output by a federal, State, or local agency shall comply with such regulations while in the course of project construction;*
 - *Electrically powered equipment shall be used instead of pneumatic or internal-combustion-powered equipment, where feasible;*
 - *Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far as practicable from noise-sensitive receptors;*
 - *Material stockpiles and construction equipment and vehicles shall be staged on-site along the site's southern property line;*
 - *Haul trucks shall access the project site from State Route (SR) 120 by way of Main Street;*
 - *Project area and site access road speed limits shall be established and enforced during the construction period; and*
 - *Nearby residences shall be notified of construction schedules so that arrangements can be made, if desired, to limit their exposure to short-term increases in ambient noise levels.*

The above requirements shall be included via notation on project grading plans, subject to review and approval by the City of Manteca ~~Community~~ Development Services Department.

Mitigation Measure 4.10-2 on page 4.10-22 of the Draft EIR is hereby revised as follows:



- 4.10-2 *Prior to the approval of improvement plans, the improvement plans shall show a six-foot-tall traffic noise barrier, which shall be subject to review and approval by the City of Manteca ~~Community Development~~ Services Department, which would ensure traffic noise levels from the road are reduced to the normally acceptable 60 dB L_{dn} standard at the first-floor backyard of residences along Antone Raymus Parkway. The noise barriers shall take the form of a masonry wall, earthen berm, or combination of the two. Other materials may be acceptable, and shall be reviewed by an acoustical consultant, prior to approval and construction.*

The foregoing staff-initiated revisions are additionally reflected in Table 2-1 of the Chapter 2, Executive Summary, of the Draft EIR. The revisions are for clarification purposes and do not affect the analyses or conclusions presented in the Draft EIR.

4.12 Transportation

Mitigation Measure 4.12-2, which begins on page 4.12-15 of the Draft EIR, is hereby revised as follows:

- 4.12-2 *Prior to issuance of a certificate of occupancy, transportation demand management measures shall be implemented to the maximum extent feasible, subject to the approval of the City of Manteca Planning ~~Department~~ Division. Potential transportation demand management measures include, but are not limited to:*

- *Increase residential density;*
- *Limit residential parking supply;*
- *Improve street connectivity;*
- *Provide ride-share program;*
- *Implement subsidized or discounted transit program;*
- *Provide bicycle facilities at the proposed school;*
- *Provide community-based travel planning;*
- *Provide pedestrian network improvement;*
- *Construct or improve bike facility;*
- *Construct or improve bike boulevard;*
- *Expand bikeway network;*
- *Implement conventional or electric carshare program;*
- *Implement pedal or electric bikeshare program;*
- *Implement scooter-share program;*
- *Extend transit network coverage or hours;*
- *Increase transit service frequency;*
- *Implement transit-supportive roadway treatments; and*
- *Reduce transit fares.*

The foregoing staff-initiated revision is additionally reflected in Table 2-1 of the Chapter 2, Executive Summary, of the Draft EIR. The revision is for clarification purposes and does not affect the analyses or conclusions presented in the Draft EIR.



4. Mitigation Monitoring and Reporting Program

4. MITIGATION MONITORING AND REPORTING PROGRAM

4.1 INTRODUCTION

Section 15097 of the California Environmental Quality Act (CEQA) requires all State and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a “mitigated negative declaration” or specified environmental findings related to an Environmental Impact Report (EIR).

The following is the Mitigation Monitoring and Reporting Program (MMRP) for the Hat Ranch Project (proposed project). Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this MMRP shall be funded by the project applicant.

4.2 COMPLIANCE CHECKLIST

The MMRP contained herein is intended to satisfy the requirements of CEQA as they relate to the EIR for the proposed project prepared by the City of Manteca. This MMRP is intended to be used by City staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMRP were developed in the EIR that was prepared for the proposed project.

The Hat Ranch Project Draft EIR presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the project. Mitigation is defined by CEQA Guidelines, Section 15370, as a measure that:

- Avoids the impact altogether by not taking a certain action or parts of an action;
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation;
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment;
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project; or
- Compensates for the impact by replacing or providing substitute resources or environments.

The MMRP will provide for monitoring of construction activities as necessary and in-the-field identification and resolution of environmental concerns.

Monitoring and documenting the implementation of mitigation measures will be coordinated by the City of Manteca. The table in Section 4.3 of this chapter identifies the mitigation measure, the monitoring action for the mitigation measure, the responsible party for the monitoring action, and timing of the monitoring action. The applicant will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMRP. The City will be responsible for monitoring compliance.



4.3 MITIGATION MONITORING AND REPORTING PROGRAM

The following table indicates the mitigation measure number, the impact the measure is designed to address, the measure text, the monitoring agency, implementation schedule, and an area for sign-off indicating compliance.



MITIGATION MONITORING AND REPORTING PROGRAM Hat Ranch Project					
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
4.2 Agricultural Resources					
4.2-1	Impacts related to the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance Farmland to non-agricultural use.	4.2-1 <i>Implement Mitigation Measure 4.4-1.</i>	See Impact 4.4-1	See Impact 4.4-1	
4.2-3	Impacts related to compliance with the policies of San Joaquin LAFCo pertaining to the conversion of agricultural land.	4.2-3 <i>Implement Mitigation Measure 4.4-1.</i>	See Impact 4.4-1	See Impact 4.4-1	
4.3 Air Quality, Greenhouse Gas Emissions, and Energy					
4.3-7	Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.	4.3-7 <i>Implement Mitigation Measure 4.3-8.</i>	See Impact 4.3-8	See Impact 4.3-8	
4.3-8	Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.	4.3-8 <i>Prior to issuance of any grading or building permits, Project Building Plans shall demonstrate compliance with the following applicable measures included in the City's Climate Action Plan, to the satisfaction of the City of Manteca Development Services Department:</i> <ul style="list-style-type: none"> • <i>Provide proof (through calculations or other) that the proposed project would exceed current Title 24 Energy Efficiency Standards by 10 percent. If the project design cannot</i> 	City of Manteca Development Services Department	Prior to the issuance of any grading or building permits	



**MITIGATION MONITORING AND REPORTING PROGRAM
 Hat Ranch Project**

Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>meet this requirement, the project applicant shall coordinate with the City to determine alternative options (e.g., exterior lighting, water savings, etc.); and</i></p> <ul style="list-style-type: none"> <i>Provide proof (through calculations, notation on project plans, or other) that the proposed project shall implement a recycling or waste diversion program sufficient to exceed the State recycling and diversion targets by at least 10 percent.</i> 			
4.4 Biological Resources					
4.4-1	Have a substantial adverse effect, either directly (e.g., threaten to eliminate a plant or animal community) or through habitat modifications, on any plant or wildlife species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS.	<p>4.4-1 <i>Prior to commencement of any grading activities, the Project proponent shall seek coverage under the SJMSCP to mitigate for habitat impacts to covered special status species. Coverage involves compensation for habitat impacts on covered species through implementation of Incidental Take and Minimization Measures (ITMMs) and payment of fees for conversion of lands that may provide habitat for covered special status species. These fees are used to preserve and/or create habitat in preserves to be managed in perpetuity. Obtaining coverage for a Project includes incidental take authorization (permits) under the Endangered Species Act Section 10(a), California Fish and Game Code Section 2081, and the MBTA. Coverage under the</i></p>	<p>City of Manteca Development Services Department San Joaquin Council of Governments (SJCOG)</p>	Prior to the commencement of any grading activities	



**MITIGATION MONITORING AND REPORTING PROGRAM
 Hat Ranch Project**

Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<i>SJMSCP would fully mitigate all habitat impacts on covered special-status species.</i>			
4.4-6	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.	4.4-6 <i>Implement Mitigation Measure 4.4-1.</i>	See Impact 4.4-1	See Impact 4.4-1	
4.5 Cultural and Tribal Cultural Resources					
4.5-2	Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 or disturb any human remains, including those interred outside of formal cemeteries.	4.5-2(a) <i>If potentially significant archaeological resources are encountered during subsurface excavation activities, all construction activities within a 100-foot radius of the resource shall cease until a qualified archaeologist determines whether the resource requires further study. The City shall require that the applicant include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Any previously undiscovered resources found during construction shall be recorded on appropriate Department of Parks and Recreation forms and evaluated for significance in terms of California Environmental Quality Act criteria by a qualified archaeologist. Potentially significant cultural resources consist of but are not limited to stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dump</i>	City of Manteca Development Services Department Qualified archaeologist	During subsurface excavation activities	



**MITIGATION MONITORING AND REPORTING PROGRAM
 Hat Ranch Project**

Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>sites. If the resource is determined to be significant under CEQA, the City and a qualified archaeologist shall determine whether preservation in place is feasible. Such preservation in place is the preferred mitigation. If such preservation is infeasible, the qualified archaeologist shall prepare and implement a research design and archaeological data recovery plan for the resource. The archaeologist shall also conduct appropriate technical analyses, prepare a comprehensive written report and file it with the appropriate information center (California Historical Resources Information System), and provide for the permanent curation of the recovered materials.</i></p> <p>4.5-2(b) <i>If previously unknown human remains are encountered during construction activities, Section 7050.5 of the California Health and Safety Code applies, and the following procedures shall be followed: In the event of an accidental discovery or recognition of any human remains, Public Resource Code Section 5097.98 must be followed. Once project-related ground disturbance begins and if there is accidental discovery of human remains, the following steps shall be taken:</i></p> <ul style="list-style-type: none"> <i>There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains</i> 	<p>City of Manteca Development Services Department</p> <p>San Joaquin County Coroner's Office</p> <p>Native American Heritage Commission (NAHC)</p>	<p>During construction activities</p>	



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		<i>until the San Joaquin County Coroner's Office is contacted to determine if the remains are Native American and if an investigation into cause of death is required. If the coroner determines the remains are Native American, the coroner shall contact the NAHC within 24 hours, and the NAHC shall identify the person or persons it believes to be the "most likely descendant" of the deceased Native American. The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.</i>			
4.5-3	Cause a substantial adverse change in the significance of a Tribal Cultural Resource as defined in PRC, Section 21074, 5020.1 or 5024.	4.5-3 <i>Implement Mitigation Measures 4.5-2(a) and 4.5-2(b).</i>	See Impact 4.5-2	See Impact 4.5-2	
4.5-4	Contribute incrementally in conjunction with cumulative development in the City of Manteca and its sphere of influence to the regional	4.5-4 <i>Implement Mitigation Measures 4.5-2(a) and 4.5-2(b).</i>	See Impact 4.5-2	See Impact 4.5-2	



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	loss of tribal cultural, historical, and/or archeological resources in San Joaquin County.				
4.6 Geology, Soils, and Mineral Resources					
4.6-1	The proposed project could cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, and landslides.	<p>4.6-1(a) <i>Prior to approval of improvement plans for the project, the applicant shall submit to the Engineering Division, for review and approval, a design-level geotechnical engineering report that is produced by a California Registered Geotechnical Engineer and addresses the findings and recommendations of the geotechnical studies prepared for the proposed project. The design-level geotechnical report shall evaluate site soil conditions using a subsurface field investigation program consisting of both soil borings using Standard Penetration Test (SPT) sampling and Cone Penetration Tests (CPT). The report shall address and make recommendations on the following aspects of the project:</i></p> <ul style="list-style-type: none"> • <i>Road, pavement, and parking area design;</i> • <i>Structural foundations, including retaining wall design (if applicable);</i> • <i>Grading practices;</i> • <i>Erosion/winterization;</i> • <i>Special problems discovered on-site, (i.e., groundwater, expansive/unstable soils, etc.);</i> 	<p>City of Manteca Engineering Division</p> <p>City Engineer</p>	Prior to approval of improvement plans for the project	



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		<ul style="list-style-type: none"> • Slope stability (if applicable to any required trenching activities); • Estimates related to ground-shaking intensity, seismic settlement, and liquefaction potential; and • Site-specific geotechnical design parameters for development (allowable bearing capacity, subsidence/settlement analysis, etc.) <p>The recommendations on the aforementioned aspects shall ensure that if implemented, all identified potential project impacts would be reduced to less-than-significant levels. All recommendations set forth in the design-level geotechnical engineering report shall be implemented into the final improvement plans for the proposed project, which shall be subject to review and approval by the City Engineer.</p> <p>4.6-1(b) All grading and foundation plans shall be reviewed and approved by the Engineering Division and the Building Safety Division, respectively, prior to issuance of building permits to ensure that all geotechnical recommendations specified in the geotechnical report(s) are properly incorporated and utilized in the design and reduce all identified potential project impacts to a less-than-significant level.</p>	<p>City of Manteca Engineering Division</p> <p>City of Manteca Building Safety Division</p>	<p>Prior to issuance of building permits</p>	



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4.6-2	The project could be located on a geological unit or soil that is unstable, or that could become unstable as a result of the project, and potentially result in on or off-site lateral spreading, subsidence, liquefaction, or collapse, or be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code.	4.6-2 <i>Implement Mitigation Measure 4.6-1(a) and Mitigation Measure 4.6-1(b).</i>	See Impact 4.6-1	See Impact 4.6-1	
4.6-3	The project could directly or indirectly harm or destroy a unique paleontological resource or site or unique geologic feature.	4.6-3 <i>Prior to grading permit issuance, the applicant shall submit plans to the City of Manteca Development Services Department for review and approval which indicate (via notation on the improvement plans) that if construction or grading activities result in the discovery of unique paleontological resources, all work within 100 feet of the discovery shall cease immediately. The applicant shall notify the City of Manteca Development Services Department, and the resources shall be examined by a qualified paleontologist at the applicant's expense, for the purpose of recording, protecting, or curating the discovery as appropriate. The paleontologist shall submit to the Development Services Department for review and approval a report of the findings and method of curation or protection of the</i>	City of Manteca Development Services Department Qualified paleontologist	Prior to grading permit issuance	



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		<i>resources. Work may only resume in the area of discovery when the preceding work has occurred.</i>			
4.7 Hazards and Hazardous Materials					
4.7-2	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.	<p>4.7-2(a) <i>Prior to Improvement Plan approval, the project applicant shall hire a qualified geotechnical engineer to identify the location of any groundwater wells in the East Parcel. If groundwater wells are not found, further mitigation is not required. If groundwater wells are identified within the East Parcel, the project applicant shall hire a licensed well contractor to obtain a well abandonment permit from the SJCEHD for all on-site wells in the parcel, and properly abandon the on-site wells, pursuant to Department of Water Resources Bulletin 74-81 (Water Well Standards, Part III) for review and approval by the SJCEHD.</i></p> <p>4.7-2(b) <i>Prior to Improvement Plan approval, the project applicant shall hire a qualified geotechnical engineer to identify the location of any septic systems in the East Parcel. If septic systems are not found, further mitigation is not required. If septic systems are identified in the East Parcel, the project applicant shall hire a licensed contractor to abandon any on-site septic system in compliance with applicable SJCEHD standards. Verification of abandonment shall be ensured by the SJCEHD.</i></p>	<p>San Joaquin County Environmental Health Department (SJCEHD)</p> <p>SJCEHD</p>	<p>Prior to improvement plan approval</p> <p>Prior to improvement plan approval</p>	



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4.8 Hydrology and Water Quality					
4.8-1	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.	<p>4.8-1(a) <i>Stormwater Pollution Prevention Plan – Project Construction</i></p> <p><i>Prior to issuance of grading permits, the project applicant shall prepare and submit to the City Public Works Department and Central Valley RWQCB a Storm Water Pollution Prevention Plan (SWPPP) detailing measures to control soil erosion and waste discharges during construction. The SWPPP shall include an erosion control and restoration plan, a water quality monitoring plan, a hazardous materials management plan, and post-construction BMPs. The BMPs shall be maintained until all areas disturbed during construction have been adequately stabilized.</i></p> <p><i>Prior to commencement of construction activities (as they are phased), including grading, the project applicant shall submit a Notice of Intent (NOI) to the SWRCB for coverage under the General Construction Permit. Specific BMPS shall be determined during the final states of project design. However, the SWPPP shall include specific practices to minimize the potential that pollutants will leave the site during construction. Such practices include, but are not limited to, establishing designated equipment staging and washing areas,</i></p>	<p>City of Manteca Public Works Department</p> <p>Central Valley Regional Water Quality Control Board (RWQCB)</p> <p>State Water Resources Control Board (SWRCB)</p>	<p>Prior to issuance of grading permits</p> <p>Prior to commencement of construction activities (as they are phased)</p>	



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		<p><i>protecting spoils and soil stockpile areas, and identifying equipment exclusion zones.</i></p> <p>4.8-1(b) Water Quality BMPs – Project Operation</p> <p><i>Prior to the City’s approval of final improvement plans, the applicant shall submit a master drainage plan, subject to the review and approval by the City Engineer. This plan shall address the following requirements:</i></p> <ul style="list-style-type: none"> • <i>Calculations of pre-development runoff conditions and post-development runoff scenarios, using appropriate engineering methods, to evaluate potential changes to runoff through specific design criteria and account for increased surface runoff;</i> • <i>Assessment of existing drainage facilities within the project area and an inventory of necessary upgrades, replacements, redesigns, and rehabilitation;</i> • <i>List all BMPs for water quality protection, source control, and treatment control, which shall be developed in accordance with the Multi-Agency Post-Construction Stormwater Standards Manual;</i> • <i>A proposed maintenance program for the on-site drainage system; and</i> 	City Engineer	Prior to the City’s approval of the final improvement plans	



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		<ul style="list-style-type: none"> <i>Phasing standards for drainage systems to be installed on a project- and parcel-specific basis.</i> <p><i>Drainage systems, including any detention basin(s), shall be designed in accordance with the City's and other applicable flood control design criteria. As a performance standard, measures to be implemented from the master drainage plan shall provide for no net increase in peak stormwater discharge relative to current conditions, ensure that 10-year flooding events and their potential impacts are maintained at or below current levels, and ensure that people and structures are not exposed to additional flood risk.</i></p> <p><i>Prior to issuing a grading permit for any/each phase of the project, the City shall require the project applicant to demonstrate that the portion of the project subject to the grading permit is consistent with the recommendations and conclusions of the master drainage plan and shall implement the measures identified in the plan. If the plan does not adequately address the drainage impacts of the specific development, the City shall require the applicant to prepare additional analysis and incorporate measures consistent with the scope and performance standards</i></p>	<p>City of Manteca Engineering Division</p>	<p>Prior to issuing a grading permit for any/each phase of the project</p>	



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		<i>associated with the plan to ensure that drainage and flooding impacts are avoided.</i>			
4.8-3	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site or create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.	4.8-3 <i>Implement Mitigation Measure 4.8-1(a) and 4.8-1(b).</i>	See Impact 4.8-1	See Impact 4.8-1	
4.10 Noise					
4.10-1	Generation of a substantial temporary increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	4.10-1(a) <i>Noise-generating construction activities associated with the proposed project shall only occur within the hours identified in City of Manteca Municipal Code Section 17.58.050. The above language shall be included on final project improvement plans, grading plans and building plans prior to approval by the City of Manteca Development Services Department.</i>	City of Manteca Development Services Department	During project construction activities	



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		<p>4.10-1(b) <i>To the maximum extent practical, as determined by the City of Manteca Development Services Department, the following measures shall be implemented during project construction:</i></p> <ul style="list-style-type: none"> • <i>All noise-producing project equipment and vehicles using internal-combustion engines shall be equipped with manufacturers-recommended mufflers and be maintained in good working condition;</i> • <i>All mobile or fixed noise-producing equipment used on the project site that are regulated for noise output by a federal, State, or local agency shall comply with such regulations while in the course of project construction;</i> • <i>Electrically powered equipment shall be used instead of pneumatic or internal-combustion-powered equipment, where feasible;</i> • <i>Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far as practicable from noise-sensitive receptors;</i> • <i>Project area and site access road speed limits shall be established and enforced during the construction period; and</i> 	<p>City of Manteca Development Services Department</p>	<p>During project construction activities</p>	



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		<ul style="list-style-type: none"> Nearby residences shall be notified of construction schedules so that arrangements can be made, if desired, to limit their exposure to short-term increases in ambient noise levels. <p>The above requirements shall be included via notation on project grading plans, subject to review and approval by the City of Manteca Development Services Department.</p>			
4.10-2	Generation of a substantial permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	4.10-2 Prior to the approval of improvement plans, the improvement plans shall show a six-foot-tall traffic noise barrier, which shall be subject to review and approval by the City of Manteca Development Services Department, which would ensure traffic noise levels from the road are reduced to the normally acceptable 60 dB L _{dn} standard at the first-floor backyard of residences along Antone Raymus Parkway. The noise barriers shall take the form of a masonry wall, earthen berm, or combination of the two. Other materials may be acceptable, and shall be reviewed by an acoustical consultant, prior to approval and construction.	City of Manteca Development Services Department	Prior to the approval of improvement plans	
4.12 Transportation					
4.12-2	Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b),	4.12-2 Prior to issuance of a certificate of occupancy, transportation demand management measures shall be implemented to the maximum extent	City of Manteca Planning Division	Prior to issuance of a certificate of occupancy	



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	during Existing Plus Project Conditions.	<p><i>feasible, subject to the approval of the City of Manteca Planning Division. Potential transportation demand management measures include, but are not limited to:</i></p> <ul style="list-style-type: none"> • <i>Increase residential density;</i> • <i>Limit residential parking supply;</i> • <i>Improve street connectivity;</i> • <i>Provide ride-share program;</i> • <i>Implement subsidized or discounted transit program;</i> • <i>Provide bicycle facilities at the proposed school;</i> • <i>Provide community-based travel planning;</i> • <i>Provide pedestrian network improvement;</i> • <i>Construct or improve bike facility;</i> • <i>Construct or improve bike boulevard;</i> • <i>Expand bikeway network;</i> • <i>Implement conventional or electric carshare program;</i> • <i>Implement pedal or electric bikeshare program;</i> • <i>Implement scooter-share program;</i> • <i>Extend transit network coverage or hours;</i> • <i>Increase transit service frequency;</i> • <i>Implement transit-supportive roadway treatments; and</i> • <i>Reduce transit fares.</i> 			



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4.12-4	Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b), during Cumulative Plus Project Conditions.	4.12-4 <i>Implement Mitigation Measure 4.12-2.</i>	See Impact 4.12-2	See Impact 4.12-2	

