Final Environmental Impact Report

Union Crossing Project

Lead Agency:

City of Manteca
Community Development Department,
Planning Division

Prepared by:

EDAW
2022 J Street
Sacramento, CA 95811

August 2009

EDAW | AECOM

Final Environmental Impact Report

Union Crossing Project

Lead Agency:

City of Manteca
Community Development Department,
Planning Division
1001 West Center Street
Manteca, CA 95337

Attn: Erika Durrer
Senior Planner
(209) 456-8522

Prepared by:

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2022 J Street
Sacramento, CA 95811

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August 2009

EDAW | AECOM

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ACRONYMS AND ABBREVIATIONS

AAQS	Ambient Air Quality Standards
ACTM	air toxic control measure
AIA	Air Impact Assessment
ARB	California Air Resources Board
CAP	Climate Action Plan
CEQA	California Environmental Quality Act
City	City of Manteca
City General Plan	City of Manteca's General Plan
diesel PM	diesel particulate matter
Draft EIR	Draft Environmental Impact Report
EIR	Environmental Impact Report
ESA	environmental site assessments
Final EIR	Final Environmental Impact Report
GAMAQI	Guide for Assessing and Mitigating Air Quality Impacts
GC	General Commercial
HARP	Hotspots Analysis Reporting Program
HHD	heavy duty diesel
HOV	High Occupancy Vehicle
HRA	health risk assessment
IS	initial study
ISR	Indirect Source Review
LOS	level of service
m	meter
mg/kg	milligrams per kilogram
NOD	Notice of Determination
NO_X	oxides of nitrogen
OEHHA	Office of Environmental Health Hazard Assessment
PCB	polychlorinated biphenyls
PG&E	Pacific Gas & Electric
PM_{10}	respirable particulate matter less than or equal to 10 microns in diameter
$PM_{2.5}$	fine particulate matter less than or equal to 2.5 microns in diameter
PSR	Project Study Report
PSR/PR/ED	Draft Union Road Interchange Project Study Report, Project Report, and Environmental Document
ROG	reactive organic gases
ROW	right of way
RTP	Regional Transportation Plan
SJMSCP	San Joaquin County Multi-Species Habitat Conservation & Open Space Plan
SJVAB	San Joaquin Valley Air Basin
SJVAPCD	San Joaquin Valley Air Pollution District
SR	State Route
TAC	toxic air contaminant
tpy	tons per year
TRU	transport refrigeration unit

1 INTRODUCTION

This Final Environmental Impact Report (EIR) has been prepared to respond to comments received on the Draft EIR for the Union Crossing Project (proposed project). The EIR has been prepared on behalf of the City of Manteca (City), the lead agency, in accordance with the requirements of the California Environmental Quality Act (CEQA).

The project would require approval of various discretionary entitlements in support of a development that would result in a variety of commercial uses on a 48.5 acre site, and the annexation of approximately 65 acres to the City located immediately south of State Route (SR) 120, just outside of the southern portion of City of Manteca.

On May 1, 2009, the City released the Draft EIR for public and agency review and comment. The Draft EIR evaluated the potential environmental effects of the proposed project and four alternatives: No Project Alternative-No Development, No Project Alternative-Current Entitlement, Mitigated Design Alternative, and Off-site Alternative. Ten comment letters and one oral comment were received during the public comment period. In addition, a public hearing to receive public input on the Draft EIR was held at the City Council Chambers on May 26, 2009. No comments on the environmental analysis were received at the hearing. The comment period closed on June 15, 2009.

This document and the Draft EIR together comprise the Final EIR.

1.1 SUMMARY DESCRIPTION OF THE PROPOSED PROJECT

1.1.1 PROJECT LOCATION

The project site is located just outside of the southern portion of city of Manteca and immediately south of State Route (SR) 120, approximately 2 miles west of SR 99, and 4 miles east of Interstate 5. The site is generally bounded by an SR 120 eastbound exit ramp to the north; Woodward Avenue, agricultural land, and rural residential homesites to the south; South Union Road and residential and commercial land uses to the east; and agricultural land and a residential homesite to the west.

1.1.2 PROJECT OBJECTIVES

In general, the purpose of the proposed project is to develop a shopping center that would include restaurant and retail uses, all of which would contribute to the economic base of the City of Manteca and respond to underserved demand for such uses within a rapidly growing area. Although not currently proposed, some retail uses may be replaced by office uses within Phase 3 of the project if the market demands. This potential change to office uses is consistent with the proposed General Commercial (GC) zoning of the site. The City of Manteca, as the lead agency, has developed the following primary objectives to satisfy the requirements of the State CEQA Guidelines Section 15124 (b):

- respond to underserved retail demand in a rapidly developing subregion;
- capitalize on the site's proximity to a major transportation corridor;
- create a wide choice of integrated shopping opportunities;
- provide for the safe and efficient movement of pedestrians and vehicles;
- provide a center with a high-quality design and visual appeal with extensive landscaping and a pedestrian friendly environment;

- expand the economic base of the City with a mix of commercial uses that would be successful into the future;
- develop a subregional retail base within the City of Manteca to prevent loss of this economic opportunity to other surrounding communities; and
- provide high-visibility, high-quality investment within the City that will create jobs and revenue benefiting the city and the local economy.

1.1.3 ELEMENTS OF THE PROPOSED PROJECT

The project site currently consists of agricultural uses including row crops, an orchard, a rural residence in the southeastern portion of the site, and three additional rural residences on the south and southwest portion of the site. The proposed project would result in the construction of an approximately 450,000 square-foot commercial project on 48.5 acres, including retail and restaurant space, and Atherton Road on 3.9 acres. The southern portion of the site consists of three existing residential lots on 10.9 acres and a portion of Woodward Avenue (1.7 acres). No construction would occur on these residential lots. The proposed project includes the prezoning and annexation of the 65-acre site to the City of Manteca. Once annexed, the project site would be subject to the planning jurisdiction of the City of Manteca. The proposed land uses are described in greater detail in Section 4.1, "Land Use," of the Draft EIR.

Construction of the project would occur in three phases over approximately 44 months. Construction is anticipated to begin in late fall/winter 2009. Depending upon economic conditions completion of all phases is expected by winter 2013. Construction of Phase 1 would include the extension of Atherton Drive within the project area, a detention basin, and the development of approximately 225,800 square feet of retail and restaurant space. Phase 2 construction would include approximately 178,000 square feet of retail and restaurant space and Phase 3 construction would include approximately 46,200 square feet of retail and restaurant space.

1.1.4 SUMMARY OF ALTERNATIVES TO THE PROPOSED PROJECT

The Draft EIR evaluated the following alternatives to the proposed project:

- No Project Alternative-No Development,
- No Project Alternative-Current Entitlement,
- Mitigated Design Alternative, and
- Off-site Alternative

The No Project Alternatives and the Mitigated Design Alternative are environmentally superior to the project. The Off-Site Alternative is environmentally similar to the project and would result in comparable impacts, but at an off-site location.

The No Project Alternatives would not attain any of the project's objectives. The Mitigated Design Alternative would partially attain some of the project's objectives.

1.2 PURPOSE OF THE FINAL EIR

CEQA requires a lead agency that has completed a Draft EIR to consult with and provide the opportunity for public agencies with legal jurisdiction with respect to the proposed action to comment on the Draft EIR, and to provide the same opportunity to the general public. This Final EIR has been prepared to respond to comments received on the Draft EIR for the proposed project.

1.3 CEQA REQUIREMENTS FOR RESPONDING TO COMMENTS

The State CEQA Guidelines state that written responses to comments received on the Draft EIR must describe the disposition of significant environmental issues. In particular, the major environmental issues raised when the lead agency's position is at variance with recommendations and objections raised in the comments must be addressed. There must be good faith, reasoned analysis in response.

1.4 REQUIREMENTS FOR EIR CERTIFICATION AND FUTURE STEPS IN PROJECT APPROVAL

The EIR is intended to be used by the City Council when considering approval of the proposed project or an alternative to the proposed project.

In accordance with CEQA, the Draft EIR was circulated for public and agency review and comment on May 1, 2009. The comment period closed on June 15, 2009. Comments were received from state and local agencies and the public. A public hearing to receive public input on the Draft EIR was held during the review period on May 26, 2009. Following completion of the Final EIR, the City of Manteca will hold a public meeting to consider certification of the Final EIR and to decide whether or not to approve the proposed project or an alternative. If the City Council approves the proposed project (or an alternative), it will prepare and adopt written findings of fact for each significant environmental impact identified in the EIR; a Statement of Overriding Considerations, if needed; and a Mitigation Monitoring and Reporting Program. A Notice of Determination (NOD) will then be filed.

1.5 ORGANIZATION AND FORMAT OF THE FINAL EIR

This document is organized as follows:

- **Chapter 1, "Introduction,"** describes the purpose and content of the Final EIR, provides an overview of the environmental review process, and presents a summary of the proposed project and alternatives.

- **Chapter 2, "Comments and Responses,"** contains a list of all agencies who submitted comments on the Draft EIR during the public review period, copies of the comment letters received, and individual responses to the comments.

- **Chapter 3, "Revisions to the Draft EIR,"** presents revisions to the Draft EIR text based on issues raised by comments, clarifications, or corrections. Changes in the text are signified by ~~strikeouts~~ where text is removed and by <u>underline</u> where text is added.

- **Chapter 4, "Report Preparation,"** lists the individuals who assisted in the preparation of this Final EIR.

2 COMMENTS AND RESPONSES

This chapter contains comment letters received during the public review period for the Draft EIR. In conformance with State CEQA Guidelines Section 15088(a), written responses to comments on environmental issues received from reviewers of the Draft EIR were prepared.

Comment letters and responses to comments are arranged in the following order: state agencies, local agencies, and other interested persons or agencies. Each letter and each comment within a letter have been given an identification number. Responses are numbered so that they correspond to the appropriate comment. Where appropriate, responses are cross-referenced between letters.

As noted previously, a public hearing on the Draft EIR was conducted at the City Council Chambers; however, no public comments were received at this hearing.

2.1 LIST OF COMMENTERS

Table 2-1 provides a list of all agencies who submitted comments on the Draft EIR during the public review period.

Table 2-1
List of Commenters

Commenter	Agency	Letter ID	Date	Page No.
State Agencies				
Terry Roberts, Director, State Clearinghouse	Office of Planning and Research State Clearinghouse	1	June 17, 2009	2.1-1
Tom Dumas, Chief, Office of Intermodal Planning	California Department of Transportation	2	June 15, 2009	2.2-1
J. E. Dial, Captain, Commander	Department of California Highway Patrol	3	June 10, 2009	2.3-1
Local Agencies				
Lucinda Roth, Plan Development Supervisor	San Joaquin Valley Air Pollution Control District	4	June 22, 2009	2.4-1
David Warner, Director of Permit Services	San Joaquin Valley Air Pollution Control District	5	June 16, 2009	2.5-1
David Warner, Director of Permit Services	San Joaquin Valley Air Pollution Control District	6	June 15, 2009	2.6-1
Rodney Estrada, REHS Lead Senior	San Joaquin County Environmental Health Department	7	May 11, 2009	2.7-1
Jason Jones, Associate Planner	San Joaquin County Community Development Department	8	May 6, 2009	2.8-1
Anne-Marie Poggio-Castillou, Regional Habitat Planner	San Joaquin Council of Governments	9	May 12, 2009	2.9-1
Other				
Evan Stewart, Land Agent, Technical and Land Services	Pacific, Gas, and Electric Company	10	June 1, 2009	2.10-1
Moses Stites, Rail Corridor Safety Specialist	California Public Utilities Commission	11	June 16, 2009	2.11-1

2.2 COMMENTS AND RESPONSES

The written comments received on the Draft EIR and the responses to those comments are provided in this section. Each comment letter is reproduced in its entirety and is followed by the response(s) to the letter. Where a commenter has provided multiple comments, each comment is indicated by a line bracket and an identifying number in the margin of the comment letter.

1

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT

ARNOLD SCHWARZENEGGER
GOVERNOR

CYNTHIA BRYANT
DIRECTOR

RECEIVED
JUN 29 2009
COMMUNITY DEVELOPMENT DEPARTMENT

June 17, 2009

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

Subject: Union Crossing Project Draft EIR
SCH#: 2008092083

Dear Erika Hollander:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on June 15, 2009, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

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

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

1-1

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

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

Sincerely,

Terry Roberts

Terry Roberts
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH#	**2008092083**
Project Title	Union Crossing Project Draft EIR
Lead Agency	Manteca, City of

Type	**EIR** Draft EIR
Description	In general, the purpose of the proposed project is to develop a shopping center that would include restaurant and retail uses, all of which would contribute to the economic base of the City of Manteca and respond to underserved demand for such uses within a rapidly growing area. Although not currently proposed, some retail uses may be replaced by office uses within Phase 3 of the project if the market demands. This potential change to office uses is consistent with the proposed General Commercial zoning of the site. The City of Manteca, as the lead agency, has developed primary objectives to satisfy the requirements of the State CEQA Guidelines Section 15124 (b).

Lead Agency Contact

Name	Erika Hollander		
Agency	City of Manteca, Community Development Department		
Phone	(209) 239-3156	**Fax**	
email			
Address	1001 W. Center Street		
City	Manteca	**State** CA	**Zip** 95337

Project Location

County	San Joaquin				
City	Manteca				
Region					
Lat / Long	37.7791° N / 121.236528° W				
Cross Streets	South Union Rd and SR 120				
Parcel No.	226-160-04, 05, 14, 17				
Township	2S	**Range** 7E	**Section** 7	**Base**	MDB&M

Proximity to:

Highways	120, 5, 99
Airports	
Railways	Union Pacific
Waterways	San Joaquin River and Walthall Slough
Schools	Sierra High, Veritas Elementary
Land Use	General Commercial - GC and Low Density Residential - LDR General Plan Designation

Project Issues	Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Cumulative Effects; Drainage/Absorption; Economics/Jobs; Geologic/Seismic; Growth Inducing; Landuse; Noise; Population/Housing Balance; Public Services; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife
Reviewing Agencies	Resources Agency; Department of Conservation; Department of Fish and Game, Region 2; Office of Historic Preservation; Department of Parks and Recreation; Central Valley Flood Protection Board; Department of Water Resources; California Highway Patrol; Caltrans, District 10; Regional Water Quality Control Bd., Region 5 (Sacramento); Department of Toxic Substances Control; Native American Heritage Commission; Public Utilities Commission

Date Received	05/01/2009	**Start of Review**	05/01/2009	**End of Review**	06/15/2009

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

Letter 1 Response	Office of Planning and Research, , State Clearinghouse Terry Roberts, Director, State Clearinghouse June 17, 2009

1-1 Comments received from responding agencies are addressed in comment letters 2 and 3. Please refer to those comment letters and responses that follow.

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2

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
P.O. BOX 2048, STOCKTON, CA 95201
(1976 E. DR. MARTIN LUTHER KING JR. BLVD. 95205)
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10-SJ-120-PM 4.2
SCH2008092083
Union Crossing

Ms. Erika Hollander
City of Manteca
Community Development Department
1001 West Center Street
Manteca, CA 95337

Dear Ms. Hollander:

The California Department of Transportation (Department) appreciates the opportunity to have reviewed the Draft Environmental Impact Report (DEIR) for the development of a shopping a center that will include restaurant and retail uses. The project site is located just outside of the southern portion of the City of Manteca and immediately south of State Route (SR) 120, approximately 2 miles west of SR 99 and 4 miles east of Interstate 5.

The Department has the following comments:

Traffic Operations Unit

1. Access driveway #19 on Union Road will need to be closed because of its closeness to the SR 120 EB Off-Ramp. 2-1

2. Table "4.11.7 Existing No Project", page 4.11.14 of the DEIR travel direction and segments are not the same in the Appendix H, HCC+: Basic Freeway Segment Operational analysis. The able 4.11.7 shows SR 99 NB, Yosemite Avenue to Lathrop Road and SR 99 SB Lathrop Road to Yosemite Avenue, but the HCC+ analysis shows Yosemite to Louise and Louise to Yosemite Avenue. Please check the Appendix H, HCS+ analysis results with the provided tables in the DEIR for All Scenario for SR 120 and SR 99 Mainline Levels of Service and SR 120 Ramp Junction Levels of Service and make any needed corrections. 2-2

3. Table "4.11.8 Existing No Project", page 4.11.15 of the project DEIR and the appendix H, HCC+: Ramps and Ramp Junctions peak hour time are not the same in table 4.11.8 showing AM peak for density and LOS for SR 120 EB and WB ramps, but the HCC+ analysis shows PM peak. Please make the analysis correction to AM. 2-3

"Caltrans improves mobility across California"

4. Table 4.11-20 on Page 4.11-55 of the project DEIR – the density numbers and LOS for SR120 eastbound/southbound for Cumulative condition are different for Cumulative condition in table "4.11-11. Please check the analysis in "Appendix H" and make any needed corrections. 2-4

5. Table 4.11-12 Cumulative No Project Condition density number and LOS are different than the density number and LOS for cumulative no project condition in table 4.11-21. Please make the needed corrections. 2-5

6. Appendix H, HCC+ analysis for SR 120 and SR 99 Mainline and SR 120 Ramp Junction Levels of Service are not consistent with the Tables. Please make the needed corrections. 2-6

7. The Department recommends the collection of a transportation impact mitigation fee on a "fair share" basis from the developers to hold until the fee can be contributed towards the local portion of funding for the construction of SR 120/Union Road interchange. 2-7

8. An Encroachment Permit will be required for work done within the Department's right of way. This work is subject to the California Environmental Quality Act. Therefore, environmental studies will be required as part of the encroachment permits application. A qualified professional must conduct any such studies undertaken to satisfy the Department's environmental review responsibilities. Ground disturbing activities to the site prior to completion and/or approval of required environmental documents may affect the Department's ability to issue a permit for the project. Furthermore, if engineering plans or drawings will be part of you permit application; they should be prepared in standard units. 2-8

   The revised DEIR identifies the following activity that would require an Encroachment Permit from the Department:

   > Construct a right turn lane from northbound Union Road to the eastbound onramp to SR 120. 2-9

   Please include all activities requiring permits from the Department in the final environmental document as well as potential impacts of those activities on resources within the Department's right of way.

Travel Forecasting Unit

Thank you for being proactive with this project by considering future development and coordinating interchange improvements with other future roadway improvements on both the State facilities and local roadway networks.

2-10

When designing the intersections at Union Road and SR 120 ramps please consider accommodating STAA trucks for delivery vehicles to access the proposed shopping center development south of SR 120. Please also consider providing full access for fire trucks and emergency vehicles when designing Local Road intersections with Union Road and Union Road intersections with SR 120 ramps.

For a complete review it is important to include Travel Demand and Air Quality Model information in the DEIR. It wasn't mentioned if the DEIR was sent to the San Joaquin Valley Air Pollution Control District (SJVAPCD) for review and comment. As the SJVAPCD is responsible for Air Quality issues, the DEIR should be reviewed by them.

2-11

Our Systems and Advanced Planning Unit commented that presently SR120 is a 4-lane freeway, but there are plans for it to become an 8-lane freeway by 2025 with High Occupancy Vehicle (HOV) lanes and possibly HOV ramps. Please take this into consideration as the project phases advance in the future and to accommodate for these improvements.

2-12

If you have any questions or would like to discuss any of our comments in more detail, please contact Barbara Hempstead at (209) 948-3909 (e-mail: Barbara_hempstead@dot.ca.gov) or me at (209) 948-1921.

Sincerely,

for TOM DUMAS, Chief
Office of Intermodal Planning

"Caltrans improves mobility across California"

2-1 As proposed, access driveway #19 would provide only right-in, right-out access on Union Road between the eastbound on/off-ramps and Atherton Drive. With the existing interchange configuration, access driveway #19 would be approximately 400 feet south of the SR 120 eastbound ramps intersection. When the improvements are completed at the SR 120/Union Road interchange, the eastbound ramps intersection would be moved further north so that the eastbound ramps intersection would be greater than 500 feet away from access driveway #19. Therefore, the proposed driveway would be maintained because it is beyond Caltrans' access control and would only provide right-in, right-out access.

2-2 The City agrees with the commenter's requested changes and has updated the Draft EIR to reflect these changes. This change is also included in Chapter 3, "Revisions to the Draft EIR." This change does not alter the conclusions of the Draft EIR because no change in level of service occurs as a result. Appendix H of the Draft EIR is attached in its entirety to this document. Changes made to this appendix in response to this comment and others raised in the comment letter are shown in underline and strikeout. Please refer to Appendix H.

Table 4.11-7, page 4.11-14 of the Draft EIR, is hereby revised as follows (text deletions are shown in strikethrough and text additions are shown in underline):

Table 4.11-7
Existing No Project SR 120 and SR 99 Mainline Levels of Service

Travel Direction	Segment	Peak Hour[1]	Density (Vehicles per Miles per Lane)[2]	Level of Service
SR 120 eastbound	I-5 to Yosemite Avenue	a.m. p.m.	16.5 28.7	B D
	Yosemite Avenue to Airport Way	a.m. p.m.	16.7 28.4	B D
	Airport Way to Union Road	a.m. p.m.	17.4 26.3	B D
	Union Road to Main Street	a.m. p.m.	18.4 24.0	C C
	Main Street to SR 99	a.m. p.m.	17.4 20.9	B C
SR 120 westbound	SR 99 to Main Street	a.m. p.m.	21.4 20.0	C C
	Main Street to Union Road	a.m. p.m.	23.3 21.5	C C
	Union Road to Airport Way	a.m. p.m.	24.4 19.8	C C
	Airport Way to Yosemite Avenue	a.m. p.m.	26.3 19.2	D C

Table 4.11-7
Existing No Project SR 120 and SR 99 Mainline Levels of Service

Travel Direction	Segment	Peak Hour[1]	Density (Vehicles per Miles per Lane)[2]	Level of Service
	Yosemite Avenue to I-5	a.m. p.m.	26.1 19.2	D C
SR 99 northbound	Jack Tone Road to Austin Road	a.m. p.m.	28.3 28.5	D D
	Austin Road to SR 120	a.m. p.m.	Leisch Leisch	C C
	SR 120 to Yosemite Avenue	a.m. p.m.	Leisch Leisch	C C
	Yosemite Avenue to Lathrop Road	a.m. p.m.	24.~~7~~8 25.7	C C
SR 99 southbound	Lathrop Road to Yosemite Avenue	a.m. p.m.	24.~~7~~8 25.5	C C
	Yosemite Avenue to SR 120	a.m. p.m.	Leisch Leisch	D D
	SR 120 to Austin Road	a.m. p.m.	25.2 27.2	C D
	Austin Road to Jack Tone Road	a.m. p.m.	26.1 29.2	D D

Notes:
[1] a.m. = morning peak hour, p.m. = evening peak hour.
[2] Density is based on HCS+ analysis and results are in passenger cars per mile per lane. Weaving sections analyzed using the Leisch Method do not have a resulting density.
Source: Compiled by Fehr & Peers in 2008

2-3 The City agrees with the commenter's requested changes and has updated Appendix H of the Draft EIR to reflect these changes. Appendix H of the Draft EIR is attached in its entirety to this document. Changes made to this appendix in response to this comment and others raised in the comment letter are shown in underline and strikeout. Please refer to Appendix H.

2-4 The City agrees with the commenter's requested changes and has updated the Draft EIR to reflect these changes. Revisions to Table 4.11-11 and associated text on page 4.11-22 of the Draft EIR are also included in Chapter 3, "Revisions to the Draft EIR." These changes do not alter the conclusions of the Draft EIR. Appendix H of the Draft EIR is attached in its entirety to this document. Changes made to this appendix in response to this comment and others raised in the comment letter are shown in underline and strikeout. Please refer to Appendix H.

Table 4.11-11, page 4.11-26 of the Draft EIR is hereby revised as follows (text deletions are shown in strikethrough and text additions are shown in underline):

Table 4.11-11
Cumulative No Project SR 120 and SR 99 Mainline Levels of Service

Travel Direction	Segment	Peak Hour[1]	Density (Vehicles per Miles per Lane)[2]	Level of Service
SR 120 eastbound	I-5 to Yosemite Avenue	a.m. p.m.	~~—~~[3] 27.2 --	~~F~~ D **F**
	Yosemite Avenue to Airport Way	a.m. p.m.	~~32.7~~ 20.6 --	~~D~~ C **F**
	Airport Way to Union Road	a.m. p.m.	~~**38.8**~~ 22.6 --	~~E~~ C **F**
	Union Road to Main Street	a.m. p.m.	~~**37.3**~~ 22.2 --	~~E~~ C **F**
	Main Street to SR 99	a.m. p.m.	~~31.7~~ 20.2 ~~—~~ 31.5	~~D~~ C ~~F~~ D
SR 120 westbound	SR 99 to Main Street	a.m. p.m.	~~—~~ 30.5 ~~—~~ 25.5	~~F~~ D ~~F~~ C
	Main Street to Union Road	a.m. p.m.	~~—~~ **40.9** ~~—~~ 25.8	~~F~~ **E** ~~F~~ C
	Union Road to Airport Way	a.m. p.m.	-- ~~—~~ 26.7	**F** ~~F~~ D
	Airport Way to Yosemite Avenue	a.m. p.m.	-- ~~—~~ 25.9	**F** ~~F~~ C
	Yosemite Avenue to I-5	a.m. p.m.	-- ~~—~~ 27.8	**F** ~~F~~ D
SR 99 northbound	Jack Tone Road to Austin Road	a.m. p.m.	-- **43.2**	**F** **E**
	Austin Road SR 120	a.m. p.m.	Leisch	**E** **E**
	SR 120 to Yosemite Avenue	a.m. p.m.	Leisch	D **F**
	Yosemite Avenue to Lathrop Road	a.m. p.m.	-- **43.4**	**F** **E**
SR 99 southbound	Lathrop Road to Yosemite Avenue	a.m. p.m.	-- --	**F** **F**
	Yosemite Avenue to SR 120	a.m. p.m.	Leisch	**F** **F**
	SR 120 to Austin Road	a.m. p.m.	**41.4** --	**E** **F**
	Austin Road to Jack Tone Road	a.m. p.m.	**39.9** --	**E** **F**

Notes:
[1] a.m. = morning peak hour, p.m. = evening peak hour.
[2] Density is based on HCS+ analysis and results are in passenger cars per mile per lane. Weaving sections analyzed using the Leisch Method do not have a resulting density.
[3] Per HCM methodology, no density is reported for freeway segments operating at LOS F.
Source: Fehr & Peers, 2008

Page 4.11-22 of the Draft EIR is hereby revised as follows (text deletions are shown in strikethrough and text additions are shown in underline):

The LOS analysis shows that even with the planned widening of SR 120 to six lanes, ~~all~~several studied freeway mainline segments are expected to operate at LOS E or F conditions under either a.m. or p.m. peak hour conditions.

2-5 The City agrees with the commenter's requested changes and has updated the Draft EIR to reflect these changes. Revisions to Table 4.11-12 and associated text on page 4.11-22 of the Draft EIR are also included in Chapter 3, "Revisions to the Draft EIR." These changes do not alter the conclusions of the Draft EIR. Appendix H of the Draft EIR is attached in its entirety to this document. Changes made to this appendix in response to this comment and others raised in the comment letter are shown in underline and strikeout. Please refer to Appendix H.

Table 4.11-12, page 4.11-27 is hereby revised as follows (text deletions are shown in strikethrough and text additions are shown in underline):

Table 4.11-12
Cumulative No Project SR 120 Ramp Junction Levels of Service

Travel Direction	Ramp	Merge/Diverge	Peak Hour[1]	Density (Vehicles per Mile per Lane)[2]	Level of Service
SR 120 eastbound	Airport Way	Diverge (Off-ramp)	a.m. p.m.	~~**37.4**~~ 27.3 ~~**82.5**~~ **59.2**	~~**E**~~ C **F**
		Merge (On-ramp)	a.m. p.m.	~~**36.0**~~ 25.9 ~~**68.7**~~ **47.6**	~~**E**~~ C **F**
	Union Road	Diverge (Off-ramp)	a.m. p.m.	~~**40.9**~~ 28.7 ~~**77.3**~~ **54.0**	~~**E**~~ D **F**
		Merge (On-ramp)	a.m. p.m.	~~**35.7**~~ 23.8 ~~**59.5**~~ **38.5**	~~**E**~~ C **F**
SR 120 westbound	Union Road	Diverge (Off-ramp)	a.m. p.m.	~~**61.2**~~ **38.0** ~~**46.0**~~ 31.2	~~**F**~~ **E** ~~**F**~~ D
		Merge (On-ramp)	a.m. p.m.	~~**62.2**~~ **42.6** ~~**40.6**~~ 28.2	**F** ~~**F**~~ D
	Airport Way	Diverge (Off-ramp)	a.m. p.m.	~~**70.0**~~ **46.8** ~~**47.2**~~ 33.3	**F** ~~**F**~~ D
		Merge (On-ramp)	a.m. p.m.	~~**63.8**~~ **44.8** ~~**42.0**~~ 29.0	**F** ~~**F**~~ D

Notes:
[1] a.m. = morning peak hour, p.m. = evening peak hour.
[2] Density is based on HCS+ analysis and results are in passenger cars per mile per lane.
Source: Compiled by Fehr & Peers in 2008

Page 4.11-22 of the Draft EIR is hereby revised as follows (text deletions are shown in strikethrough and text additions are shown in underline):

The operations of the freeway on-ramp merge and off-ramp diverge segments were analyzed under Cumulative No Project Conditions and the results shown in Table 4.11-12. The technical

appendices contain the corresponding calculation sheets (Appendix H1). All studied ramp junctions are expected to operate at LOS E or F conditions ~~during either~~in the a.m. or p.m. peak hour.

2-6 Please see response to comments 2-2 through 2-5.

2-7 On page 4.11-82 of the Draft EIR, "Mitigation Measure 4.11-7j: Union Road/SR 120 westbound" requires that the project applicant pay their fair-share to reconstruct the SR 120 / Union Road interchange. Typically, the City collects this fee at the time of building permit approval. As described in the Union Crossing Mitigation Monitoring Reporting Plan, the project's fair share of funding for the interchange shall be paid prior to issuance of any building permits.

2-8 The City acknowledges that work that occurs within Caltrans right of way (ROW) would require an encroachment permit. The project does not propose any improvements within Caltrans ROW; however, mitigation recommended in the EIR would result in improvements within Caltrans ROW. Specifically, Mitigation Measures 4.11-2a, 4.11-7j, 4.11-7k, 4.11-7m and 4.11-7n of the Draft EIR recommend payment of fair share towards improvements to the Union Road/SR 120 interchange and Mitigation Measures 4.11-7c and 4.11-7d recommends payment of fair share toward improvements to the Airport Way/SR 120 interchange. The City of Manteca and Caltrans have previously met on several occasions to discuss local and regional improvements to SR 120 and the interchanges at Union Road and Airport Way. Both the City of Manteca and Caltrans have included representatives from the San Joaquin Council of Governments (SJCOG) to identify any necessary improvements required to meet traffic demands along SR 120 proposed as part of development that would occur under the City's General Plan (2003). As discussed in Section 4.11, "Transportation and Circulation" of the Draft EIR, the City in cooperation with Caltrans District 10 and SJCOG, have initiated a Project Study Report (PSR) for the SR 120/Airport Way interchange and SR 120/Union Road interchange. The City and Caltrans are currently preparing a Project Study Report (PSR) for future interchange improvements at Airport Way/SR 120 and a Project Report/Environmental Document for future interchange improvements at Union Road/SR 120. As discussed under several mitigation measures in Section 4.11.4 of the Draft EIR, reconstruction of the interchanges would occur off the project site. Impacts associated with reconstruction of the interchanges would generally consist of construction-related air, noise, biological habitat, and traffic impacts. Specific environmental impacts related to reconstruction of the interchange would require preparation of a separate environmental document (e.g., IS, EIR) to analyze specific environmental impacts related to this improvement outside the project site. Therefore, additional significant environmental impacts not already identified or evaluated in the Draft EIR could occur. However, at this time it is too speculative to determine these impacts without a proposed design alignment for the improvement. The City and Caltrans will continue to work together to prepare the necessary environmental documents for these improvements.

As described in the Draft EIR, the applicant would pay their fair share towards implementation of mitigation located within Caltrans ROW prior to issuance of project building permits. The proposed improvements are separate and independent projects that would be subject to their own environmental review. Completion of PSR's for the two interchanges described above is anticipated in 2010. Finally, consistent with CEQA Guidelines Section 15126.4(D), the Draft EIR describes the environmental impacts that would be expected to occur with implementation of the recommended mitigation.

2-9 Please refer to response to comment 2-8 above.

2-10 The proposed site plan provided in the Draft Union Road Interchange Project Study Report, Project Report, and Environmental Document (PSR/PR/ED), accommodate STAA and emergency vehicle traffic. Final submission of the PSR/PR/ED is expected in late 2009. Local road intersections within the City of Manteca are designed to City standards and will accommodate emergency vehicles.

2-11 Air modeling results for the project are provided in Appendix C of the Draft EIR and traffic modeling results are in Appendix H of the Draft EIR. In addition, Appendix H has been updated as described in the above comments. The Draft EIR, including the air quality analysis, was sent to San Joaquin Valley Air Pollution Control District (SJVAPCD) for review and comment. Please refer to comment letters 4 through 6 for a discussion of their comment on the Draft EIR.

2-12 The widening of SR 120 from four to six lanes was assumed in the analysis because SJCOG has included this widening as a Tier 1 project in the Regional Transportation Plan (RTP). Additional widening projects are accommodated in the Union Road Interchange design described in the PSR/PR/ED. This project provides fair-share funding toward the interchange design described in the PSR/PR/ED. The project's contribution to the provision for future High Occupancy Vehicle (HOV) facilities and other freeway improvements is addressed through the implementation of Mitigation Measure 4.11-8 of the Draft EIR, which requires that the project applicant pay their fair-share of the SJCOG Regional Transportation Impact Fee.

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State of California—Business, Transportation and Housing Agency ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL
3330 Ad Art Road
Stockton, CA 95208
(209) 943-8666
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)

2008092083

June 10, 2009

File No.: 265.9921.11961.Unioncrossingproject5-2009

clear 6.15.09 e

RECEIVED
JUN 12 2009
STATE CLEARING HOUSE

State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, CA 95814

To whom it may concern:

Thank you for the opportunity to review the Draft Environmental Report Notice of Completion for the Union Crossing Project located just outside the southern portion of the city of Manteca and immediately south of State Route 120 (#2008092083). This project is situated approximately 2 miles west of SR-99 and 4 miles east of I-5, and borders Woodward Avenue to the south, and South Union Avenue to the east, both of which are commonly used by commuters to access State Route 120. State Route 120 is commonly used by commuters to access Interstate 5 to the west and State Route 99 to the east. 3-1

A project of this size will have an impact on traffic utilizing the surrounding city and county streets as well as the commuters utilizing State Route 120, State Route 99, and Interstate 5. The California Highway Patrol (CHP) has the primary responsibility for traffic enforcement on the above mentioned County Roads, State Routes, and Interstate. These roadways will see an increase in average daily traffic volumes. Specifically, the increase will primarily be felt during the hours of operation for future businesses which will be housed in the Union Crossing Project. 3-2

The Summary of Environmental Impacts and Mitigation Measures indicate a "significant increase in peak hour traffic volumes on local and regional roadway segments" and "significant increases in traffic volumes on freeway mainlines and freeway ramps". The Summary also includes mitigation plans to reduce the impact on local traffic. Primarily, it is indicated the Project will pay fees to the Public Facilities Implementation Program and the San Joaquin County Regional Transportation Impact Program for future improvements to several intersections and the widening of numerous roads impacted by this project. Although future planning is admirable, the CHP has concerns that the project will have an immediate impact on local traffic and commuters. As such, it is important the San Joaquin County Department of Public Works, the City of Manteca, the California Highway Patrol, Caltrans, and other local traffic safety stakeholders work together in developing short term plans as well as long range plans that are beneficial to all citizens utilizing the transportation system. 3-3

The CHP believes this project will create challenges for daily commuters on an already busy roadway system in the area. As such, this development will directly impact the Stockton CHP's ability to effectively manage traffic without an increase in resources. Should you have any questions, please feel free to call me or Lieutenant Larry Chambers of my staff at (209) 943-8666. 3-4

Sincerely,

J. E. DIAL, Captain
Commander

cc: Special Projects Section

3-1 This comment does not raise any environmental issues associated with the analysis presented in the Draft EIR; therefore, no further response is needed.

3-2 The Draft EIR contains a thorough evaluation of the project's transportation impacts consistent with the requirements of CEQA in Section 4.11, "Transportation and Circulation." Impacts to local roadways and highways were evaluated in Impact 4.11-1, "Increases in Project-Related Traffic Volumes on Local Roadways," Impact 4.11-2, "Increases in Peak Hour Traffic Volumes on Regional Roadways Resulting in Unacceptable Levels of Services", Impact 4.11-6, "Increases in Peak Hour Traffic Volumes on Local Roadway Segments Resulting in Unacceptable Levels of Service under Cumulative Plus Project Conditions (2015)", Impact 4.11-7, "Increases in Peak Hour Traffic Volumes on Regional Roadways Resulting in Unacceptable Levels of Service under Cumulative Plus Project Conditions (2015)", Impact 4.11-8, "Increases in Traffic Volumes on Freeway Mainlines Resulting in Unacceptable Levels of Service under Cumulative Plus Project Conditions (2015)", and Impact 4.11-9, "Increases in Traffic Volumes on Freeway Ramps Resulting in Unacceptable Levels of Service under Cumulative Plus Project Conditions (2015)". As described therein, the project would result in less than significant increases in project-related traffic volumes on local roadways (Impact 4.11-1). The project would result in significant impacts to local and regional roadway facilities under project and cumulative conditions for the other impacts listed above. As described in Section 4.11.4, "Mitigation Measures," mitigation is recommended to reduce the project's impacts and contribution to cumulative impacts to a less-than-significant level, where feasible. However, for some impacts, feasible mitigation is not available or within the control of the City of Manteca. Therefore, for purposes of CEQA, some of the project's impacts and contribution to cumulative impacts would remain significant and unavoidable. Please refer to Section 4.11.5, "Level of Significance After Mitigation," for additional information.

3-3 The City agrees with the commenter and will continue to work with local and regional agencies in its implementation of the General Plan and the specific development projects that are proposed to minimize to the degree feasible impacts on important public services, including police protection, in the short- and long-term. The Draft EIR contains a thorough evaluation of the project's police protection impacts consistent with the requirements of CEQA in Section 4.10, "Public Services and Utilities." As discussed in Impact 4.10-8, "Increased Demand for Police Protection Facilities and Services", the increased funding from Measure M and increased sales tax revenue from proposed commercial land uses, including the Union Crossing project, would provide sufficient funding for any additional and necessary police officers and equipment. This project impact was considered less than significant. Further, the project would be developed within existing parcels and would not result in the substantial modification of existing roadway alignments such that access to the project area by law enforcement would be adversely affected. Regarding safety, the project has been designed to meet the City's minimum safety requirements for lighting, emergency access, and design.

3-4 Regarding evaluation of impacts to Stockton CHP's resources, the Draft EIR thoroughly evaluates the project's potential traffic-related impacts consistent with the requirements of CEQA in Section 4.11, "Transportation and Circulation." The CHP is one of several state agencies that provide services to California residents. The CHP is funded out of the State's general fund. California residents and proprietors of the proposed Union Crossing would pay

State taxes that would be allocated to the State General Fund, a portion of which would be used to fund and expand state services such as the CHP. The commenter is not specific regarding the resources (e.g., funding, staff, and new facilities) that could be affected by the project and does not indicate that any new facilities, which could result in environmental impacts, would be required. The funding of CHP operations is not an environmental impact. Therefore, the comment is noted and will be forwarded to the decision makers. Please also refer to response to comment 3-3.

4

San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT

RECEIVED
JUL 08 2009
COMMUNITY DEVELOPMENT DEPARTMENT

June 22, 2009

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

Re: Transportation Conformity Review for Union Crossing Draft EIR

Dear Sir or Madam:

The San Joaquin Valley Air Pollution Control District (District) thanks you for the opportunity to review the City of Manteca's Union Crossing Draft EIR (State Clearinghouse Number: 2008092083) for compliance with transportation conformity requirements.

The proposed Draft EIR for Union Crossing Table 4.3-5 shows substantial PM2.5 emission increases primarily due to total annual operational emissions from the project. The projected emission inventories in the EIR for Union Crossing appears to exceed the transportation conformity budget for all of the San Joaquin County that was incorporated into the District's 2008 PM2.5 Plan (page 7-8) and 2007 Ozone Plan (page 9-10). If these numbers are correct, the increased emissions would conflict with the District' ozone and particulate matter attainment demonstration. It may cause transportation conformity violations or lapses. 4-1

District staff recommends that City of Manteca double check these emission numbers and if necessary, re-evaluate all mitigation measures options to determine if additional measures can be proposed to offset the emission increase. A partial list of some mitigation options is located at www.valleyair.org/transportation/ceqa_gen_plan_amends.htm and www.valleyair.org/ISR/ISROnSiteMeasures.htm.

Thank you for your consideration of the above comments. Please feel free to contact Katy Linebach of my staff at (559) 230- 6100 or katy.linebach@valleyair.org if you have any questions, concerns, or would like additional information.

Sincerely,

Lucinda Roth

Lucinda Roth
Plan Development Supervisor

cc: Arnaud Marjollet

Seyed Sadredin
Executive Director/Air Pollution Control Officer

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4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

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Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
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4-1 SJVAPCD states that the projected emissions inventories in Table 4.3-5 of the EIR "appears to exceed the transportation conformity budget for all of the San Joaquin County that was incorporated into the District's 2008 $PM_{2.5}$ Plan." It is assumed that SJVAPCD's comment refers to Table 4.3-3 on page 4.3-10 of the EIR, which shows the Summary of 2006 Estimated Emissions Inventory for Criteria Air Pollutants (San Joaquin County). Or, perhaps, SJVAPCD's comment refers to the emissions budget presented in Appendix C of the SJVAPCD's 2008 $PM_{2.5}$ Plan (available at http://www.valleyair.org/Air_Quality_Plans/docs/AQ_Proposed_PM25_2008/16%20Appendix%20C.pdf). In response, it should be noted that the emissions levels in both of these inventories are expressed in tons per day, while the emissions levels estimated for the proposed project and presented in Table 4.3-5 of the EIR are expressed in tons per year. Table 4.3-3 of the Draft EIR shows that the total 2006 inventory of $PM_{2.5}$ emissions for San Joaquin County was 11.75 tons per day. The emissions budget presented in Appendix C of the SJVAPCD's 2008 $PM_{2.5}$ Plan shows that the 2009 motor vehicle emissions budget for San Joaquin County is 1.6 tons per annual day. Table 4.3-5 of the Draft EIR indicates that the project's operational emissions of $PM_{2.5}$ would be approximately 3.1 tons per year. Since submittal of this comment letter, SJVAPCD staff have clarified that the units of emissions were misunderstood and that SJVAPCD has no major concern with the emissions levels shown in the Table 4.3-5 for $PM_{2.5}$ (e-mail from Katy Linebach of SJVAPCD to Austin Kerr of EDAW, July 16, 2009).

SJVAPCD staff also noted that "however, there is still the mention on page 4.3-32 of the Draft EIR at the top of the page that 'the proposed project would be considered to contribute substantially to the existing air quality violations, potentially conflict with efforts to reach attainment of any air quality standards, and expose sensitive receptors to substantial pollutant concentrations. The long-term impact would be significant.' District Staff requests that the City of Manteca confirm this and consider how conformity requirements will be satisfied." This statement made in the Draft EIR refers to the discussion of the project's potential to generate long-term operational emissions of criteria air pollutants and precursors under Impact 4.3-2. It specifically refers to how the estimation of the project's operational emissions of reactive organic gases (ROG) and oxides of nitrogen (NO_X) exceed SJVAPCD's mass emission thresholds of 10 tons per year. It is for this reason that the statement was made in the Draft EIR about the project contributing substantially to the existing air quality violations in the San Joaquin Valley Air Basin (SJVAB). SJVAPCD regulates criteria air pollutant and precursor emissions in the SJVAB through a variety of control measures, regulations, and emissions limits with the goal of attaining Ambient Air Quality Standards (AAQS) by the earliest practical date. SJVAPCD's CEQA thresholds of significance (i.e., 10 tons per year [TPY] of ROG and NO_X (which are precursors to secondary pollutant formation of ozone [a Climate Action Plan (CAP) for which the SJVAB is in nonattainment]) are designed to limit emissions from new development to a level that would be consistent with attainment planning efforts (i.e., accounted for in emissions inventory projections for the SJVAB; see pages 4.3-16 and 4.3-17 of the Draft EIR for a summary of applicable attainment plans in SJVAPCD's jurisdiction). Projects that would exceed these mass emissions thresholds would not be considered compliant with SJVAPCD air quality planning efforts, and would be considered to result in a substantial contribution to a violation of AAQS and/or expose members of the public to concentrations of pollutants from which adverse health effects could result.

A transportation conformity analysis was not included in the Draft EIR because SJVAPCD's Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI) recommends that an analysis of Transportation Conformity be conducted for general plans and large specific plans (page 54). This project does not meet those definitions and is consistent with the land uses planned for in the City's General Plan (2023) for which a Transportation Conformity analysis was prepared.

SJVAPCD also noted that "a partial list of some mitigation options that the City may consider is located at www.valleyair.org/transportation/ceqa_gen_plan_amends.htm and www.valleyair.org/ISR/ISROnSiteMeasures.htm." The City and its consultants reviewed the array of measures listed at these two web pages and referred to them to develop detailed list of measures to reduce operational emissions that are custom to the project's type, size, and location. Please refer to Mitigation Measure 4.3-2 in the Draft EIR. SJVAPCD's comment does not address any concerns about the measures in Mitigation Measure 4.3-2 and does not recommend specific measures that are not already included in the Draft EIR.

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5

June 16, 2009

Erica Hollander
City of Manteca
Community Development Dept.
1001 West Center Street
Manteca, CA 95337

Project: Health Risk Assessment for Union Crossing (SCH#2008092083)

District Reference No: 20080628

Dear Ms. Hollander:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the electronic health risk assessment (HRA) files received on June 15, 2009.

The District has identified the following deficiencies in the modeling: 5-1

1. The boundary line was not modeled. To determine potential worker risk, the boundary line should be included in the assessment.

2. The designations for truck travel line sources are not consistent between the discussion in Appendix C and the HRA. The document refers to the line sources as "South site truck travel" but the line sources modeled in the HRA are "CENTRAL1", "CENTRAL2", and "CENTRAL3". To ensure the clarity of the discussion, the terminology used in Appendix C should be reflective of the terminology used in the model. 5-2

3. Although main travel lanes were modeled, travel lanes to individual buildings were not modeled. These additional travel lanes should be included in the assessment. 5-3

4. Default emission factors were used for truck travel and idling. While this procedure is acceptable, emission factors for specific types of trucks were not calculated using the EMFAC2007 model. 5-4

5. The emission calculations assume that trucks will idle for only 5 minutes. The Airborne Toxic Control Measure (ATCM) for idling contains too many exemptions to serve as a basis for this assumption. Unless there is an enforceable limitation on idling time the assumption of a 15-minute idling time per truck should be modeled. 5-5

6. The emissions calculations are not consistent between the discussion in Appendix C and those modeled in the HRA. The modeled emission rates represent annualized diesel particulate matter emissions whereas hourly maximum emissions are identified in the discussion in the appendix. For example, an emission rate of 0.000187 lb/hr was modeled, but the discussion identifies hourly emissions as 0.000375 lb/hr for "North site truck travel – no bldg line" or Line Source NORTH1. The emission rate modeled in the HRA is correct and the discussion should be amended to be reflective of the HRA. 5-6

7. The version of the AERMOD model used to perform the HRA is incorrectly identified in Appendix C. The version number identified (version 5.8.0) is the version of the graphical user interface software rather than that of the model. The discussion should be amended to reflect the version of the model that was used (version 07026). 5-7

8. While the District's adjustment factor for calculating cancer risk from predicted diesel particulate matter concentrations for residential receptors was used, the adjustment factor for workers was not. The assessment should include the worker adjustment factor. 5-8

9. The separate modeling of cancer risk for children is inconsistent with District protocol. The District does not calculate the risk based on a 9-year lifetime risk. The cancer risk for children should be modeled consistent with modeling protocol for residential receptors. 5-9

10. Site parameters used for the Hot Spots Analysis and Reporting Program (HARP) were incorrectly modeled. The model should have included the Mother's Milk pathway and used 0.02 m/s for the deposition rate. 5-10

11. The District uses the Derived (OEHHA) method to calculate residential risk rather than the Derived (Adjusted) method used in this analysis. 5-11

In summary, several procedures used in performing this HRA are not consistent with District guidance. The primary deficiencies found in the HRA are: 1) the failure to determine risk to offsite workers, 2) the use of non-standard adjustments to calculate worker risk, and 3) the use of unapproved modeling procedures in HARP. These factors would not greatly affect the determination of residential risk. However, at a minimum, the risk to agricultural workers in fields near the project site should be determined. 5-12

For a more accurate assessment of potential health risk impacts on all receptors, the District recommends that prior to project approval the HRA be remodeled to include all the assumptions and parameters identified above. If the City of Manteca would like validation of the revised HRA by the District, the District recommends that an electronic copy of all input files be submitted to the District for review. For more information on District HRA methodologies, please contact Mr. Leland Villalvazo, Supervising Air Quality Specialist, by phone at (559) 230-5881 or by e-mail at hramodeler@ valleyair.org. 5-13

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. If you have any questions or require further information, please call Jessica Willis at (559) 230-5818 and provide the reference number at the top of this letter.

Sincerely,

David Warner
Director of Permit Services

Arnaud Marjollet
Permit Services Manager

DW:jw

Cc: File

5-1 The SJVAPCD suggests that receptors should have been placed along the boundary line of the proposed project in order to determine potential risk to workers. The health risk assessment (HRA) did not include any fence line receptors because CEQA only requires the determination impacts where they may occur. In this case, the health impacts were evaluated where they may affect actual off-site receptor locations and not the point of maximum or "worst-case" exposure, because no receptors are there. Because there would not be any potential worker receptors along the boundary of the project, fence line receptors were not included in the modeling. CEQA statute 15143 states that "the effect should be discussed with emphasis in proportion to their severity and probability of occurrence." Because sensitive receptors would not be located along the fence line, the probability of occurrence is remote to non-existent.

However, in an independent model run, a 100 meter (m) x 100 m grid analysis extending approximately 500 m around the proposed facility was conducted by the applicant to understand the variation of the health impacts in the modeled region. This model run showed the maximum individual cancer risk of 4.4-in-one-million (for a 70-year resident exposure scenario) and 0.9-in-one-million (for a worker exposure scenario) occurring next to the property line east of facility the (in the agricultural field). The files for this model run were e-mailed by Austin Kerr of EDAW to David Warner, Director of Permit Services at SJVAPCD on July 22, 2009.

5-2 The SJVAPCD points out some inconsistent naming of the on-site truck travel line sources. The terms "South1", "South2", and "South3" used in Tables 2 and 4 of the HRA report refer to emission sources "Central1", "Central2", and "Central3" in the modeling files. Therefore, the text "South1", "South2", and "South3" should be replaced with "Central1", "Central2", and "Central3," respectively. The City agrees with the commenters requested changes. Appendix C of the Draft EIR is attached in its entirety to this document. Changes made to this appendix in response to this comment and others raised in the comment letter are shown in underline and strikeout. These are text changes only and do not affect the results of the HRA, the analysis under Impact 4.3-4, or alter the conclusions of the Draft EIR.

5-3 The SJVAPCD states that truck travel routes to individual buildings on the site should have been modeled in the HRA. The truck travel routes used in the HRA are based on the travel routes established in the project design, which facilitates traffic circulation and minimizes vehicle congestion. SJVAPCD's *Guidance for Air Dispersion Modeling* suggests the truck travel be modeled as a line of volume sources along shortest truck route from road entrance to destination (Appendix A, Section 2.3.2 of the Draft EIR). The truck travel distance was estimated by multiplying the volume side length by the number of sources to simulate the "shortest truck route from road entrance to destination." All truck travel anticipated to occur on the site was included in the analysis. In order to provide a conservative estimate of off-site health risk levels, the truck travel segments were located along the outer perimeter of the development (as proposed by the design) and are closer to the project boundary and to nearby off-site receptors.

5-4 The SJVAPCD notes that default emission factors were used in the HRA modeling and states that this practice is acceptable; however the comment suggests that emission factors for specific types of trucks should have been calculated using EMFAC2007. The emission factor of 0.67 grams/mile for haul truck traveling, and 2.37 grams/hour for haul truck idling were taken from SJVAPCD's *Guidance for Air Dispersion Modeling* (Appendix A, Section 2.3.2 of the Draft

EIR) and are recommended by the SJVAPCD for use in an HRA. Because the analysis followed the commenter agency's protocol, and because no rationale to diverge from this approach was provided in the comment, the analysis is considered to adequately reflect the commenter's required approach.

The SJVAPCD does not provide reasons why the emission factors that were used in the HRA are potentially insufficient. The emission factors for truck emissions recommended by the SJVAPCD modeling guidance are based on mobile "on-road" diesel engines (vehicle engines in haul trucks) developed from the California Air Resources Board (ARB) on-road emissions factor model, EMFAC. These composite factors include older engines and newer engines designed with cleaner, more fuel-efficient combustion technology. Since at the time of preparation of the HRA, the fleet mix was unknown, EMFAC2007 was run to determine an alternative emission factor based on a fleet range of 2002-2008. This yielded a running emission factor of 0.591 grams/mile for heavy duty diesel (HHD) at speeds less than 10 miles per hour, and an idling emission rate of 0.771 grams/idle-hour. These emission factors are reasonably close to those identified in the *Guidance for Air Dispersion Modeling*. By using the higher emission factors the HRA overestimated the levels of cancer risk at nearby receptors.

5-5 The SJVAPCD notes that the HRA assumed that individual trucks would not idle at any one on-site location for more than 5 minutes and, therefore, this limitation should be enforced in some way. As stated on page 4.3-21 of the Draft EIR, ARB has developed an air toxic control measure (ACTM) that limits stationary idling by diesel-fueled commercial trucks to 5 minutes (13 CCR Chapter 10 Section 2485). Because the 5-minute idling restriction is required by law and that the project's truck activity would not be exempt from this requirement, the assumption that trucks would not idle for more than 5 minutes at any single location is reasonable. No changes to the analysis are proposed.

5-6 The SJVAPCD identifies an inconsistency between the emission rate used in the HRA modeling run and those discussed in the HRA report. Specifically, the SJVAPCD states that the modeled emission rates represent annualized diesel particulate matter emissions whereas hourly maximum emissions are identified in the report discussion. The comment accurately acknowledges that "the emission rate modeled in the HRA is correct and the discussion should be amended to be reflective of the HRA." The City agrees with the commenter's requested changes. Appendix C of the Draft EIR is attached in its entirety to this document. Changes made to this appendix in response to comments raised by SJVAPCD are shown in underline and strikeout. Specifically, the emission rate values in Table 2 of the HRA report (in Appendix C) have been corrected to match those used in the modeling. These are text changes only and do not affect the results of the HRA or the risk estimates presented under Impact 4.3-4 or alter the conclusions of the Draft EIR.

5-7 The SJVAPCD states that the version of AERMOD used to conduct the dispersion modeling for the HRA is incorrectly identified. This is correct. The correct version number of the AERMOD model used to conduct the HRA is "07026" instead of the GUI version number (version 5.8.0) and the appropriate text has been changed in the HRA report (Appendix C of the Draft EIR). Appendix C of the Draft EIR is attached in its entirety to this document. Changes made to this appendix in response to this comment are shown in underline and strikeout. This text change does not affect the results of the HRA or the significance determination discussed under Impact 4.3-4 or alter the conclusions of the Draft EIR.

5-8 The SJVAPCD states that the HRA should use the adjustment factor for calculating cancer risk from predicted diesel particulate matter (diesel PM) concentrations for workers. Per the SJVAPCD's *Guidance for Air Dispersion Modeling* (Appendix A, Section 2.7 of the Draft EIR)

an adjustment factor of 4.1453E-04 was used for the residential diesel PM risk calculation. This adjustment factor is based on SJVAPCD-provided values for various parameters including a slope factor of 1.1, daily breathing rate of 393 liters/kg-day, exposure factor of 350 days/year, exposure duration of 70 years, averaging time of 25,550 days, and a conversion factor of 1E-06 (from micrograms to milligrams). The worker adjustment factor of 1.5716E-04 as provided in the modeling guidance is calculated using the same parameters as described for the residential receptor, but for a daily breathing rate of 149 liters/kg-day. This worker adjusted factor has been used in the calculation of the diesel PM cancer risk at the worker receptors. In short, the adjustment factor used for workers is the one factor recommended by SJVAPCD's *Guidance for Air Dispersion Modeling.* Please see Table B-6, DPM Risk Calculation in Appendix C of the Draft EIR. The comment does not affect the results of the HRA or risk estimates presented under Impact 4.3-4.

5-9 The SJVAPCD states that the separate modeling of cancer risk for children is inconsistent with District protocol. The 9-year child receptor was modeled according to recommended and acceptable procedures recommended by the Office of Environmental Health Hazard Assessment (OEHHA) because the SJVAPCD's *Guidance for Air Dispersion Modeling* does not clearly specify the use of residential exposure scenario for child cancer risk estimate. However, to address this comment a recalculation of cancer risks at the sensitive (school) receptors using the residential exposure scenario recommended by the SJVAPCD's comment show a cancer risk of 0.3-in-one-million, which is well below the significance threshold of 10-in-one-million. The calculation table is shown below for SJVAPCD reference.

Sensitive Receptors–Diesel PM Cancer Risk Calculation					
Receptor Number	Easting (m)	Northing (m)	Receptor Type	Concentration (µg/m3)	Cancer Risk
Cancer Risk = (Slope factor x C_{air} x DBR x A x EF x ED x 10^-6)/AT					
118	655514	4183905	Sch	0.00022	9.12E-08
119	655103	4183652	Sch	0.00061	2.53E-07
DPM Slope Factor (mg/kg-day)	1.1			Averaging time AT (days)	25550
Exposure Frequency EF (days/year)	350			Conversion factor	10^-6
Exposure Duration ED (years)	70			A	1
Daily Breathing Rate (liters/kg-day)	393				

5-10 The SJVAPCD states that the model run in the Hotspots Analysis Reporting Program (HARP) for the HRA should have included the mother's milk pathway. Per OEHHA, the mother's milk pathway is only required if emissions of dioxins, furans, polychlorinated biphenyls (PCBs), or cadmium & compounds are being modeled (see Section 5.2 and Table 5.1 of the OEHHA's Air *Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* [available at: <http://oehha.ca.gov/air/hot_spots/HRAguidefinal.html>.) Because this HRA only includes emissions of diesel PM and polycyclic aromatic hydrocarbons, the mother's milk exposure pathway is not required to be modeled and inclusion of this pathway would have no effect on the estimated levels of cancer risk.

The SJVAPCD also states that the HARP model run for the HRA should have used 0.02 meters per second for the deposition rate but does not explain why. Because emission sources from the project are not characterized as "controlled" (e.g., the way fine particles are controlled using a baghouse or similar control device), a deposition rate of 0.05 meters per second may be acceptable. Moreover, using a higher deposition rate (as is done in the project's HRA) is more conservative (i.e., more health-protective) for cases of multi-pathway pollutants because the pollutant mass striking the ground and available for uptake is increased. Because diesel PM is not a multi-pathway pollutant (i.e., it is only ingested into the human body via inhalation), any change in the deposition rate would have little, if any, effect on the estimated levels of cancer risk.

5-11 The SJVAPCD states that it uses the Derived (OEHHA) method to calculate residential risk rather than the Derived (Adjusted) method used in the HRA. First, the difference between the Derived (OEHHA) and Derived (Adjusted) methods to calculate residential risk should be explained. Using the Derived (OEHHA) method for a multipathway cancer risk assessment, the two dominant (driving) exposure pathways (i.e., ways toxics can be ingested into the human body [e.g., inhalation, dermal contact, eyes, mother's milk, food, among others]) use the high-end point-estimates of exposure, while the remaining exposure pathways use average point estimates listed in the OEHHA HRA Guidance Manual. The Derived (Adjusted) method is identical to the method used for the Derived (OEHHA) cancer risk with one exception. The Derived (Adjusted) method uses the breathing rate at the 80th percentile of exposure rather than the high-end point-estimate when the inhalation pathway is one of the dominant exposure pathways. The Derived (Adjusted) method is used to meet the recommendations of this policy when the inhalation pathway is determined to be a dominant exposure route in a multipathway assessment (as would be the case for the diesel PM emissions generated by the proposed project).

In response to SJVAPCD's comment, the derived (Adjusted) method for the 70-year residential cancer risk calculation is an acceptable procedure per OEHHA's Interim Risk Management Policy for Inhalation-Based Residential Cancer Risk (October 9, 2003) (available: <http://www.arb.ca.gov/toxics/harp/rmpolicyfaq.htm >). This management policy has been adopted by ARB, in consultation and accord with OEHHA. Per this policy, ARB and OEHHA allow the use of Derived Adjusted Residential Cancer Risk Calculation. Because the commenter does not state why the Derived (OEHHA) method should be used for this project, no further response is required.

5-12 The SJVAPCD suggests that the HRA determine the risk to agricultural workers near the proposed project site. The City's consultant had conducted a preliminary 100 m x 100 m grid analysis, which was not submitted to the SJVAPCD along with the Draft EIR for review (i.e., prior to receiving the June 16, 2009 comment letter from SJVAPCD). Please refer to response to the response to comment 5-1. According to the grid receptor run, the maximum individual cancer risk for the worker exposure scenario was estimated at 0.9-in-one-million and occurred at a receptor east of the facility, along the western boundary of the existing agricultural field. This incremental increase in risk is less than the significance threshold of 10 in one million. It can be presumed, therefore, that the cancer risks to agricultural workers at more-distant locations, would be less than the calculated maximum and less than significant. As stated in response to comment 5-1, the files for this model run were e-mailed by Austin Kerr of EDAW to David Warner, Director of Permit Services at SJVAPCD on July 22, 2009.

5-13 The SJVAPCD recommends that the HRA be remodeled prior to the project approval. However, as discussed above in Master Response AQ-1 and the responses to comments 5-1 through 5-12, it is clear that many of the assumptions and parameters used in the current HRA

were based on SJVAPCD's *Guidance for Air Dispersion Modeling* (August 2006) or, in absence of specific guidance, based on guidance from OEHHA and/or ARB, agencies with expertise in air pollution exposure risk assessment. Further, the incremental increase in health risk associated with the proposed project would be less than the identified significance thresholds, as discussed under Impact 4.3-4 of the Draft EIR. No changes to the analysis are proposed at this time.

6

June 15, 2009

Erica Hollander
City of Manteca
Community Development Dept.
1001 West Center Street
Manteca, CA 95337

Project: Draft Environmental Impact Report for Union Crossing (SCH#2008092083)

District Reference No: 20080628

Dear Ms. Hollander:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Draft Environmental Impact Report (DEIR) for the Union Crossing project located at State Route 120 and South Union Road, Manteca, California. The proposed project would include approximately 450,000 square feet of commercial development on 48.5 acres of the 65 acre project site. The District offers the following comments:

District Comments

1. The discussion on health impact modeling (page 4.3-34 through 4.3-36) indicates the project will have a less than significant health impact on receptors in the project vicinity. Specifically, the health risk assessment presented in the DEIR was determined to have a maximum exposed individual resident (MEIR) index of 2.3 in one million. While Appendix C includes the summaries of input and output data, the electronic modeling files (AERMOD and HARP) were not submitted to the District for review. The District requested electronic copies of the files and the files were received on June 15, 2009. The District will provide the City of Manteca with comments regarding the HRA upon its review of the data. 6-1

2. District Planning staff are currently reviewing the DEIR for transportation conformity and will submit additional comments upon completion of the review. 6-2

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. If you have any questions or require further information, please call Jessica Willis at (559) 230-5818 and provide the reference number at the top of this letter.

Sincerely,

David Warner
Director of Permit Services

Arnaud Marjollet
Permit Services Manager

DW:jw

Cc: File

6-1 SJVAPCD expresses some general concerns about the health risk analysis and related HRA discussed under Impact 4.3-4 of the Draft EIR. SJVAPCD states that it will provide further detailed comments on the HRA in a subsequent letter. This subsequent letter was dated June 16, 2009 and consists of comments 5-1 through 5-13. Please refer to detailed responses to Master Response AQ-1 comments 5-1 through 5-13.

6-2 SJVAPCD expresses some general concerns about whether the project complies with transportation conformity. SJVAPCD states that it will provide more detailed comments in a subsequent letter. This subsequent letter was dated June 22, 2009 and consists of comment 4-1. Please refer to detailed responses to comment 4-1.

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7

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

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

DIRECTOR
Donna Heran, REHS
ASSISTANT DIRECTOR
Laurie Cotulla, REHS
PROGRAM COORDINATORS
Mike Huggins, REHS, RDI
Margaret Lagorio, REHS
Robert McClellon, REHS
Jeff Carruesco, REHS, RDI
Kasey Foley, REHS

May 11, 2009

Erika Hollander, Senior Planner
Community Development Department
City of Manteca
1001 West Center Street
Manteca, California 95337

Subject: Union Crossing- Notice of Availability of the Draft Environmental Impact Report SCH#2008092083

The San Joaquin County Environmental Health Department (EHD) is supportive of this project in regards to the provision of full public services. The EHD requests the following comments be added to the above project for consideration:

The existing homes are being served by onsite sewage disposal systems and individual wells for domestic and irrigation purposes. The EHD recommends that as a part of developing these properties, the existing wells and septic systems shall be destroyed under permit and inspection with the EHD. Existing residences that will remain shall be connected to public sewer and public water. 7-1

The EHD has reviewed the document described above that proposes rezoning agricultural property to residential and commercial and building residential housing and various commercial projects on the land. DTSC recommends that additional research be conducted to determine whether pesticides were used on the proposed development site(s). The site(s) should be evaluated to determine if and were storage, mixing, rinsing, and disposal of pesticides may have occurred and whether contamination exists. 7-2

In addition, although EHD does not regulate pesticides legally applied to crops, if pesticides have historically been used on the property, we strongly recommend that these areas be tested for environmentally persistent pesticides such as organic pesticides and metals prior to development. The results of any testing should be evaluated to determine if concentrations present in solid will be protective of residents and workers. 7-3

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

Rodney Estrada, REHS
Lead Senior

RE:ej

7-1 Regarding on-site wells and septic systems, the project applicant would comply with all appropriate regulatory requirements regarding the abandonment and decommissioning of all on-site wells and septic systems prior to issuance of any site grading permits. The existing homes in the southwest portion of the site that are being served by onsite sewage disposal systems (septic tanks) and individual wells will continue to do so because there is no change to land use at this time (annexation only). Therefore, connection to public sewer and public water is not required. The City's practice has been to allow properties annexed into the city to remain on well and septic until a time that the property develops or the well and/or septic system fails per the building code.

7-2 The Draft EIR contains a thorough evaluation of potential hazardous material and public health impacts from implementation of the project consistent with the requirements of CEQA in Section 4.6, "Hazards and Hazardous Materials." The analysis was based on review of the Phase I and Phase II environmental site assessments (ESA) prepared for the project site by Bureau Veritas in August 2007 and September 2007, respectively. A Phase I ESA was also prepared by Condor Earth Technologies Inc. in April 2007 and included analysis of the southernmost 5.8-acre portion of the site (Phase 3; see Exhibit 3-3 in Chapter 3, "Project Description," of the Draft EIR). The ESAs did not analyze the three residential lots (10.9 acres) or a segment of Woodward Avenue (1.7 acre) because no development on these portions of the project site is proposed; however, the potential for these areas of the project site to affect or be affected by hazardous material contamination was considered. The subject property was assessed for signs of storage, use, or disposal of hazardous substances and/or petroleum products. Potentially hazardous substances and/or petroleum products are currently not used or stored on-site. No observations were made that indicated potential historical use of hazardous substances and/or petroleum products except for stained soil observed in the southwest corner of Phase 3 of the subject property and the potential application of pesticides and/or herbicides for agricultural use (Condor Earth Technologies 2007). However, the property owner stated that he was not aware of these types of chemicals being used at the subject property and no evidence of bulk mixing or improper use of pesticides and/or herbicides was reported or observed (Bureau Veritas 2007a).

Potential hazardous materials and public health impacts were evaluated in Impact 4.6-1, "Create a Safety Hazard to Construction Workers", Impact 4.6-2, "Create a Significant Hazard to the Public or the Environment", and Impact 4.6-4, "Emit or Handle Hazardous Materials or Waste near a School". As described therein, the project would result in less-than--significant impacts to the public, environment, and schools (Impact 4.6-2 and Impact 4.6-4). While a Phase 1 ESA was prepared for the Phase 3 portion of the subject property, soil samples were not collected for this portion of the subject property. This area could have elevated concentrations of pesticides and arsenic and could have localized contamination for discarded oil. Therefore, development and potential safety hazards in Phase 3 of the subject property are unknown. This would be a potentially significant impact (Impact 4.6-1). As described in Section 4.6.4, "Mitigation Measures," implementation of proposed mitigation would reduce the project's impact to a less-than-significant level. This mitigation would require the project applicant to prepare a Phase II ESA for the southernmost portion of the subject property (Phase 3 area; refer to Exhibit 3-3 of Chapter 3, "Project Description") prior to construction activities and implement all recommended actions identified in the Phase I ESA's and Phase II ESA's. In addition, the project applicant shall prepare a Safety Hazard Plan prior to construction activities.

7-3 As stated above, Phase I and Phase II environmental site assessments (ESA) were prepared for the project site by Bureau Veritas in August 2007 and September 2007, respectively. A Phase I ESA was also prepared by Condor Earth Technologies Inc. in April 2007 and included analysis of the southernmost 5.8-acre portion of the site (Phase 3; see Exhibit 3-3 in Chapter 3, "Project Description," of the Draft EIR). The environmental site assessments included testing for environmentally persistent pesticides. As discussed under "Environmental Setting" in Section 4.6, "Hazards and Hazardous Materials" of the Draft EIR, a Limited Subsurface Investigation Report (Phase II ESA) was prepared by Bureau Veritas, which involved collecting 28 discrete surface soil samples within the northern and central portion of the subject property (Phase I and II). Arsenic was detected in the soil samples at concentrations ranging from 1.1 milligrams per kilogram (mg/kg) to 1.8 mg/kg. These detected concentrations are below the residential Environmental Screening Level established at 5.5 mg/kg for arsenic. Concentrations of organochlorine pesticides were not detected in the soil samples (Bureau Veritas 2007b). Implementation of Mitigation Measure 4.6-1 of the Draft EIR includes preparation of a Safety Hazard Plan and preparation of a Phase II ESA for the southernmost portion of the property (Phase 3). Furthermore, the contractor shall be required to comply with the plan and applicable local, state, and federal laws. This would reduce the impact to a less-than-significant level. Please refer to response to comment 9-2 for a summary of the Draft EIR's evaluation of potential hazardous material and public health impacts from implementation of the project.

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SAN JOAQUIN COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT

1810 E. HAZELTON AVE., STOCKTON, CA 95205-6232
PHONE: 209/468-3121 FAX: 209/468-3163

RECEIVED
MAY 11 2009
COMMUNITY DEVELOPMENT DEPARTMENT

May 06, 2009

Erika Hollander- Senior Planner
City of Manteca- Community Development Department of Development Planning Division
1001 West Center Street
Manteca, CA 95337

RE: Draft Environmental Impact Report- Union Crossing

Dear Ms. Hollander:

Thank you for sending the Notice of Availability of the Draft EIR for the Union Crossing Project. The San Joaquin County Community Development Department has reviewed this project and offers the following comments:

Of the 64.23-acre project site, approximately 44-acres of the project site are currently used for agricultural production. The project site has a zoning designation of Agriculture Urban Reserve with a 20-acre minimum (AU-20) and a General Plan designation of Low Density Residential (R/L). The County is concerned about the loss of agricultural land from converting agricultural uses to a nonagricultural uses and amending the designation from Agriculture Urban Reserve to General Commercial. If this project were to be developed in the County, this project would be subject to the Agricultural Mitigation Ordinance of the Development Title to provide mitigation for the significant loss of agricultural land. The Ordinance requires agricultural mitigation for a Zone Reclassification that changes the permitted use from agricultural to a non-agricultural use, regardless of the General Plan designation (Section 9-1080.3(a) (1)). Agricultural Mitigation shall be satisfied by granting a farmland conservation easement or other farmland conservation mechanism as set forth in Development Title Section 9-1080.3(d). The number of acres of agricultural mitigation land shall be at least equal to the number of acres that will be changed to a non-agricultural use (a 1:1 ratio). Other measures that provided the same or greater mitigation would be acceptable. 8-1

Also, the project location states that "the project site... is located in the southern portion of the City of Manteca;" however, all of the involved parcels, with the exception of APN 226-160-07, are located in the County. 8-2

We appreciate the opportunity to comment on this application. Please add our agency to the notification list to receive the Draft Environmental Impact Report. If you have any questions, please free to contact me at 209-468-3136.

Sincerely,

Jason Jones
Associate Planner

8-1 The project site is located within unincorporated San Joaquin County and within the sphere of influence and Primary Urban Service Boundary of the City of Manteca. The City envisions that the project site and surrounding areas would be developed with commercial and retail land uses based on the urban land use designations approved for the project site as part of the *City of Manteca General Plan 2023* (City General Plan). The project includes proposed annexation and prezoning designation of the site to the City. As described in Section 4.8.4, Mitigation Measure 4.8-1is identified and requires payment of the required City of Manteca agricultural mitigation fee to help offset the conversion of Important Farmland. Consistent with Chapter 13.42 of the Manteca Municipal Code, the applicant shall pay to the city the fee as established by resolution of the city council. The fee shall be determined by the fee schedule in effect on the date the vesting tentative map or vesting parcel map application is deemed complete, or the date a permit is issued. The fees collected would be used to acquire farmland conservation easements and/or farmland deed restrictions. Although the project would not be subject to the San Joaquin County Agricultural Mitigation ordinance, City and County agricultural measures are similar. Payment of the County's mitigation fee would not further reduce the project's impacts. Further, there is no nexus to support the applicant's participation in two agricultural mitigation programs when each program is intended to provide the best feasible mitigation available to project developers for the conversion of farmland. Therefore, the City will require the project applicants to participate in the City's agricultural mitigation program.

8-2 The commenter is correct that the project site is located in the County. As described in Section 2.3.1, 'Project Location', and Section 3.1, 'Project Location and Setting', of the Draft EIR, the project site is located just outside of the southern portion or southern boundary of city of Manteca.

9

From: Anne-Marie Castillou [acastillou@sjcog.org]
Sent: Tuesday, May 12, 2009 9:53 AM
To: Hollander, Erika
Subject: Union Crossing

Hello Erika,

In regards to the Union Crossing project, there is no change to previous responses. 9-1

If you have any questions for us please do not hesitate to give me a call.

Thank you

Anne~Marie Poggio-Castillou
Regional Habitat Planner
San Joaquin Council of Governments
555 E. Weber Avenue
Stockton, CA 95202
(209) 468-3913

Hollander, Erika

From: Anne-Marie Castillou [acastillou@sjcog.org]
Sent: Friday, September 26, 2008 9:25 AM
To: Hollander, Erika
Subject: NOP for Union Crossing
Attachments: RTLA- Manteca_Union Crossing_Multi_NOP.pdf

Hello Erica,
I have a revised RTLA for the Union Crossing Project for the NOP. If you have any questions please give me a call.
~

9-2

Anne~Marie Poggio-Castillou
Habitat Planner Technician
San Joaquin Council of Governments
555 E. Weber Avenue
Stockton, CA 95202
(209) 468-3913
A
>>> Anne-Marie Castillou 08/08/2008 9:29 AM >>>
Hello
I am attaching the Response to Lead Agency for the Union Crossing Project
If you have any questions please do not hesitate to give me a call.
Thank you, and congrats on the promotion to Senior!
~A

Anne~Marie Poggio-Castillou
Habitat Planner Technician
San Joaquin Council of Governments
555 E. Weber Avenue
Stockton, CA 95202
(209) 468-3913

9/29/2008

S J C O G, Inc.

555 East Weber Avenue • Stockton, CA 95202 • (209) 468-3913 • FAX (209) 468-1084

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

SJMSCP RESPONSE TO LEAD AGENCY ADVISORY AGENCY NOTICE TO SJCOG, Inc.

To: Erika Hollander, Senior Planner, City of Manteca Community Development Department

From: Anne~Marie Poggio-Castillou, SJCOG, Inc.

Date: September 26, 2008

Re: **Lead Agency Project Title:** Union Crossing: Notice of Preparation

Lead Agency Project Number: N/A

Assessor Parcel Number(s): 226-160-04, -05, 14 thru -16

Total Acres to be converted from Open Space Use: 64.23 acres

Habitat Types to be Disturbed: Multi-Purpose (C2) and Agriculture (C34)

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

Mrs. Hollander

SJCOG, Inc. has reviewed the Union Crossing Project. The Union Crossing project will consist of various commercial/retail shops and restaurants that will range in size from approximately 6,000 square foot single pad shops to approximately 161,000 square foot multi-tenant commercial buildings that will total approximately 455,000 square feet for the entire project area. The project also includes enhanced architectural features throughout the center such as trellises throughout, combination of stucco, stone, and concrete exterior finishes, with varying roofline and cornice treatments to create store fronts for individual tenants. The project also includes full site improvements including parking lot with enhanced landscaping and landscape features, and a comprehensive signage for the center. 9-3

The project is located at the southwest corner of the intersection of SR-120 and S. Union Road. The portion of the site that is proposed for development consists of various crops and existing single-family residence with out-buildings. The additional 3 parcels that will be annexed each have existing single-family residence that will remain.

The City of Manteca is a signatory to San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Participation in the SJMSCP satisfies requirements of both the state and federal endangered species acts, and ensures that the impacts are mitigated below a level of significance in compliance with the California Environmental Quality Act (CEQA). Although participation in the SJMSCP is voluntary, lead agents should be aware that if project applicants choose against participating in the SJMSCP, they will be required to provide alternative mitigation in an amount and kind equal to that provided in the SJMSCP. 9-4

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

9-4 Cont'd

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

- Schedule a SJMSCP Biologist to perform a pre-construction survey ***prior to any ground disturbance***
- Sign and Return Incidental Take Minimization Measures to SJMSCP staff (given to project applicant after pre-construction survey is completed)
- Pay appropriate fee based on SJMSCP findings
- Receive your Certificate of Payment and release the required permit

9-5

If you have any questions, please call (209) 468-3913.

9-1 Please refer to response to comment 9-4 through 9-5.

9-2 The comment is noted. No further response is necessary as no issues related to the environmental impacts of the project were raised.

9-3 The comment summarizes project features. No further response is necessary as no issues related to the environmental impacts of the project were raised.

9-4 Please refer to Section 4.5.4 of the Draft EIR, Mitigation Measures 4.5-1 through 4.5-3, for project mitigation related to SJMSCP. The project applicants are committed to obtaining coverage under the SJMSCP to mitigate for project impacts and obtain incidental take authorization for SJMSCP-covered species under the City of Manteca's Section 10(a) and Section 2081 permits. The project applicant shall work with SJMSCP staff to satisfy the SJMSCP requirements. Please also refer to response to comment 9-4.

9-5 Please refer to response to comment 9-4.

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10

Pacific Gas and Electric Company

Evan Stewart Technical & Land
Land Agent Services
4040 West Lane
Stockton, CA 95204
Office: (209) 942-1436
Fax: (209) 942-1485
E-mail: erse@pge.com

June 1, 2009

RECEIVED
JUN 04 2009
COMMUNITY DEVELOPMENT DEPARTMENT

City of Manteca
Community Development Department
Planning Division
Attn: Erika Hollander
1001 W. Center Street
Manteca, CA 95337

RE: Notice of Availability of the Draft Environmental Impact Report for Union Crossing.

Dear Mrs. Hollander:

Thank you for providing Pacific Gas and Electric ("PG&E") the opportunity to review and comment on the Draft EIR for Union Crossing ("DEIR").

The proposed project as described in the DEIR will result in upgrades to PG&E distribution circuits and would require extensive reconductoring of existing facilities. PG&E has an above ground district regulator station located on the south side of Woodward Avenue between Union and Oleander Road. This station is the main feed to the gas distribution facilities in the area and will need to stay in operation. Consideration needs to be given to keep this facility at its current location or make space available for it as close as possible to our gas transmission line L-108. In order to be legally adequate, the City's EIR must evaluate the electric and gas service needs created by the proposed project. Cumulative impacts on electric and gas utilities must also be analyzed. Any local decisions that increase the demand for electricity must incorporate plans for the concurrent construction of related power lines.

Of course, should the proposed development require relocation of existing PG&E facilities, those facilities should be covered by the environmental review for the proposed development and would be relocated at the requesting party's expense. The relocation of certain PG&E facilities may require formal approval from the CPUC. If required, this approval process could take up to two years to complete. Please note that it is not always feasible to relocate our facilities, so it is essential to design the project attempting to avoid the existing utilities if possible. 10-1

Additional issues which may create conflict due to their impact on our easements and facilities include, but are not limited to, the permanent or temporary change in grade, the planting of certain types of vegetation, and the construction of structures.

To promote the safe and reliable maintenance and operation of utility facilities, the California Public Utilities Commission (CPUC) has mandated specific clearance requirements between utility facilities and surrounding objects or construction activities. Any proposed development

Pacific Gas and Electric Company

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plans should provide for unrestricted utility access and prevent easement encroachments that might impair the safe and reliable maintenance and operation of PG&E's facilities.

We would also like to note that continued development consistent with the City of Manteca General Plans will have a direct or cumulative impact on PG&E's electric and gas systems and may require on-site and off-site additions and improvements to the facilities which supply these services. Because utility facilities are operated as an integrated system, the presence of an existing electric and gas transmission or distribution facility does not necessarily mean the facility has capacity to connect new loads.

In order to ensure that all PG&E issues are addressed, the Project Coordinator should be encouraged to coordinate with PG&E in the early stages of planning. This is especially important if there is any possibility that we would need to relocate our facilities or provide new service to the area due to the lengthy duration of these processes.

10-1 Cont'd

The California Constitution vests in the CPUC exclusive power and sole authority with respect to the regulation of privately owned or investor owned public utilities such as PG&E. This exclusive power extends to all aspects of the location, design, construction, maintenance and operation of public utility facilities. Nevertheless, the CPUC has provisions for regulated utilities to work closely with local governments and give due consideration to their concerns. PG&E must balance our commitment to provide due consideration to local concerns with our obligation to provide the public with a safe, reliable, cost-effective energy supply in compliance with the rules and tariffs of the CPUC.

PG&E remains committed to working with the City of Manteca to provide timely, reliable and cost effective Electric and Gas service to the area by planning significant projects to meet the demands being made on our electrical system. Please call me at (209) 942-1436 if you have any questions or would like further information. Thank you again for the opportunity to review and comment on your DEIR.

Sincerely,

Evan Stewart
Land Agent

10-1 During design review for the project, the project applicant would coordinate with local utility providers (including Pacific Gas & Electric [PG&E]) to identify the necessary improvements and access easements for proposed utility infrastructure. In general, these are not environmental issues that would require evaluation under CEQA. Rather, they are part of the project design and construction processes and will be appropriately addressed during design review for the project.

The project's impact to utility services, including natural gas and electricity, were determined to be less than significant because all appropriate facilities would be provided at the project site by the applicant and the project's electricity demand relative to the regional supply is not substantial (refer to Section 4.10, Impact 4.10-5, of the Draft EIR). Further, it is not anticipated that any gas or electric transmission facilities would need to be relocated with implementation of the project.

The City notes the commentors general comments regarding development in the City relative to cumulative impacts to gas and electrical systems. In 2003, the City adopted an updated General Plan. The City of Manteca General Plan EIR prepared in conjunction with the update found that the buildout of the General Plan study area, including the project area, would require expanded energy sources and infrastructure for expanded urban development, resulting in a potentially significant impact (refer to PFS-7 in the City's General Plan EIR). Mitigation in the form of goals, policies, and implementation measures, were provided to help reduce the amount of energy and infrastructure needed to serve new urban development in the City, but not to a less-than-significant level. Thus, the impact was found to be significant and unavoidable.

The project's projected natural gas and electric usage is consistent with the assumptions in the City's General Plan EIR. Accordingly, no new cumulative impacts are identified or attributable to the project. Therefore, the project's cumulative impact to utility resources would be less than significant.

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2.3 ORAL COMMENTS AND RESPONSES ON THE DRAFT EIR

An oral comment received on the Draft EIR and the response to that comment is provided in this section. The comment is paraphrased below based on a telephone call with Erika Hollander, a Senior Planner with the City of Manteca. The comment is followed by response.

Letter 11 Response	California Public Utilities Commission Moses Stites, Rail Corridor Safety Specialist, Consumer Protection and Safety Division, Rail Transit and Crossing Branch June 16, 2009

The Draft EIR presents a comprehensive analysis of the project's transportation impacts consistent with the requirements of CEQA and the State CEQA Guidelines in Section 15126. As described therein, the project's estimated trip generation (based on proposed land uses) and trip distribution patterns were reviewed to identify roadways and intersections that could potentially be affected by the project. Based on review of the traffic data, it was determined that no intersections located near railroad crossings would receive as substantial number of new traffic trips such that the project would cause long vehicle queues that could partially or wholly obstruct the crossing. Therefore, no significant impacts to intersections near railroad crossings would occur and the project's potential safety impacts (i.e., queuing of vehicles across the tracks) at the railroad crossings would not be significant.

2.4 MASTER RESPONSE

The following section contains responses to environmental issues that were raised by multiple comments on air quality. Responses to individual comments on this issue are directed to the master response. For example, if a comment addresses air quality evaluated in the Draft EIR, the response would state, "Please refer to Master Response AQ-1".

2.4.1 MASTER RESPONSE AQ-1

The San Joaquin Valley Air Pollution Control District (SJVAPCD) provided specific comments regarding the methodology and assumptions used to prepare the HRA that evaluated potential health risk impacts associated with on-site truck travel; truck idling, operation of the cafeteria char broiler; transportation refrigeration units (TRUs) that service the central site market; and exhaust hoods of on-site restaurants.

As a study that supports the CEQA analysis, the HRA evaluated the proposed project's long-term operational emissions of toxic air contaminants (TACs) pursuant to the requirements of CEQA. The HRA is not intended to fully support any applications for air permits that the proposed project may need from SJVAPCD. The HRA was conducted according to SJVAPCD's *Guidance for Air Dispersion Modeling* (August 2006), Appendix A (Appendix A), Section 2.0 CEQA Health Risk Assessments (available at <http://www.valleyair.org/busind/pto/tox_resources/modeling%20guidance%20w_o%20pic.pdf>). This guidance was the most current SJVAPCD guidance document for preparing HRAs pursuant to CEQA and, at the time of writing this response, no formal updates to this guidance have been provided by SJVAPCD.

Based on review of the comments provided by SJVAPCD, it appears that for some comments, the SJVAPCD provided comments on the project's HRA that appear to conflict with publicly-available SJVAPCD-guidance documents. These inconsistencies are addressed in the responses that follow Letter 5.

3 REVISIONS TO THE DRAFT EIR

Changes to the text of the Draft EIR that are made in response to comments are shown with a line through the text that has been deleted (~~strikeout~~) or underline where new text has been added.

SECTION 2, TABLE 2-1 AND SECTION 4.3, AIR QUALITY

PAGE 2-9 AND PAGE 4.3-37

Page 2-9 and page 4.3-37 of the Draft EIR are hereby revised as follows (text deletions are shown in strikethrough and text additions are shown in underline):

Mitigation Measure 4.3-1: Generation of Short-Term, Temporary Construction-Related Emissions of Criteria Air Pollutants and Precursors.

The applicant's contractors shall implement the following standard dust control measures from Table 6-2 of the GAMAQI during construction of the proposed project, as required by SJVAPCD Regulation VIII:

- All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, or vegetative ground cover.
- All onsite unpaved construction roads and offsite unpaved construction access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.
- All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.
- When materials are transported offsite, all material shall be covered, effectively wetted to limit visible dust emissions, or at least 6 inches of freeboard space from the top of the container shall be maintained.
- All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at least once every 24 hours when operations are occurring. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden.)
- Following the addition of materials to, or the removal of materials from, the surfaces of outdoor storage piles, piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.
- ~~Any site with 150 or more vehicle trips per day~~ Project contractors shall prevent carryout and trackout.

In addition to the measures identified above, the following enhanced and additional control measures from Table 6-3 of the GAMAQI shall be implemented by the applicant's contractors:

- Onsite vehicle speeds on unpaved roads shall be limited to 15 mph.
- Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from adjacent project areas with a slope greater than 1 percent.
- Wheel washers shall be installed for all exiting trucks and equipment, or wheels shall be washed to remove accumulated dirt prior to leaving the site.
- The contractor shall install wind breaks at windward side(s) of the construction area.

- Excavation and grading activities shall be suspended when winds exceed 20 mph.
- The overall area subject to excavation and grading at any one time shall be limited to the fullest extent possible.

The City, after consultation with the applicant, shall require all feasible additional measures to control construction emissions to be implemented by the applicant's contractors. Such measures may include, but are not limited to the following items from Table 6-4 of the GAMAQI and other sources:

- Onsite equipment shall be maintained and properly tuned in accordance with manufacturers' specifications.
- When not in use, onsite equipment shall not be left idling.
- Construction scheduling shall limit the hours of operation of heavy-duty equipment and/or the amount of equipment in use at any one time.

Construction of the proposed project shall comply with SJVAPCD's ISR (Rule 9510), as required by law. The applicant shall submit and have approved an Air Impact Assessment (AIA) application to SJVAPCD no later than applying for ~~a final discretionary approval~~the first building permit with the City of Manteca. The AIA application shall be submitted on a form provided by the SJVAPCD and contain, but not be limited to, the applicant's name and address, detailed project description, on-site emission reduction checklist, monitoring and reporting schedule, and an AIA. The AIA shall quantify construction NO_X and PM_{10} emissions associated with the project. This assessment shall include: an estimate of construction emissions prior to the implementation of mitigation measures; a list of the mitigation measures to be applied to the project; an estimate of emissions for each applicable pollutant for the project, or each phase thereof, following the implementation of mitigation; and a calculation of the applicable off-site fee, if required by Rule 9510. The general mitigation requirements in the assessment, as contained in the ISR rule, shall include the following:

- Exhaust emissions for construction equipment greater than 50 horsepower used or associated with the development project shall be reduced by 20% of the total NO_X and by 45% of the total PM_{10} emissions from the statewide average as estimated by ARB.
- Methods employed by the applicant to reduce construction emissions to the degree noted above include using less polluting construction equipment, including the use of add-on controls, cleaner fuels, or newer lower emitting equipment. The emissions reduction targets listed above shall be met through any combination of on-site emission reduction measures or offset fees, including those required and other mitigation measures listed above.

The requirements listed above can be met through any combination of on-site emission reduction measures or offset fees, including those required and other mitigation measures listed above; however, any on-site emission reductions must be both quantifiable and verifiable to be credited towards the requirements of the ISR Rule.

SECTION 4.11, TRANSPORTATION AND CIRCULATION

PAGE 4.11-14

Table 4.11-7, page 4.11-14 of the Draft EIR, is hereby revised as follows (text deletions are shown in strikethrough and text additions are shown in underline):

Table 4.11-7
Existing No Project SR 120 and SR 99 Mainline Levels of Service

Travel Direction	Segment	Peak Hour[1]	Density (Vehicles per Miles per Lane)[2]	Level of Service
SR 120 eastbound	I-5 to Yosemite Avenue	a.m.	16.5	B
		p.m.	28.7	D
	Yosemite Avenue to Airport Way	a.m.	16.7	B
		p.m.	28.4	D
	Airport Way to Union Road	a.m.	17.4	B
		p.m.	26.3	D
	Union Road to Main Street	a.m.	18.4	C
		p.m.	24.0	C
	Main Street to SR 99	a.m.	17.4	B
		p.m.	20.9	C
SR 120 westbound	SR 99 to Main Street	a.m.	21.4	C
		p.m.	20.0	C
	Main Street to Union Road	a.m.	23.3	C
		p.m.	21.5	C
	Union Road to Airport Way	a.m.	24.4	C
		p.m.	19.8	C
	Airport Way to Yosemite Avenue	a.m.	26.3	D
		p.m.	19.2	C
	Yosemite Avenue to I-5	a.m.	26.1	D
		p.m.	19.2	C
SR 99 northbound	Jack Tone Road to Austin Road	a.m.	28.3	D
		p.m.	28.5	D
	Austin Road to SR 120	a.m.	Leisch	C
		p.m.	Leisch	C
	SR 120 to Yosemite Avenue	a.m.	Leisch	C
		p.m.	Leisch	C
	Yosemite Avenue to Lathrop Road	a.m.	24.~~7~~8	C
		p.m.	25.7	C
SR 99 southbound	Lathrop Road to Yosemite Avenue	a.m.	24.~~7~~8	C
		p.m.	25.5	C
	Yosemite Avenue to SR 120	a.m.	Leisch	D
		p.m.	Leisch	D
	SR 120 to Austin Road	a.m.	25.2	C
		p.m.	27.2	D
	Austin Road to Jack Tone Road	a.m.	26.1	D
		p.m.	29.2	D

Notes:
[1] a.m. = morning peak hour, p.m. = evening peak hour.
[2] Density is based on HCS+ analysis and results are in passenger cars per mile per lane. Weaving sections analyzed using the Leisch Method do not have a resulting density.
Source: Compiled by Fehr & Peers in 2008

PAGE 4.11-22

Page 4.11-22 of the Draft EIR is hereby revised as follows (text deletions are shown in strikethrough and text additions are shown in underline):

The LOS analysis shows that even with the planned widening of SR 120 to six lanes, ~~all~~several studied freeway mainline segments are expected to operate at LOS E or F conditions under either a.m. or p.m. peak hour conditions.

The operations of the freeway on-ramp merge and off-ramp diverge segments were analyzed under Cumulative No Project Conditions and the results shown in Table 4.11-12. The technical appendices contain the corresponding calculation sheets (Appendix H1). All studied ramp junctions are expected to operate at LOS E or F conditions ~~during either~~in the a.m. or p.m. peak hour.

PAGE 4.11-26

Table 4.11-11, page 4.11-26 of the Draft EIR, is hereby revised as follows (text deletions are shown in strikethrough and text additions are shown in underline):

Table 4.11-11
Cumulative No Project SR 120 and SR 99 Mainline Levels of Service

Travel Direction	Segment	Peak Hour[1]	Density (Vehicles per Miles per Lane)[2]	Level of Service
SR 120 eastbound	I-5 to Yosemite Avenue	a.m.	~~--~~[3] 27.2	~~F~~ D
		p.m.	--	F
	Yosemite Avenue to Airport Way	a.m.	~~32.7~~ 20.6	~~D~~ C
		p.m.	--	F
	Airport Way to Union Road	a.m.	**~~38.8~~** 22.6	~~E~~ C
		p.m.	--	F
	Union Road to Main Street	a.m.	**~~37.3~~** 22.2	~~E~~ C
		p.m.	--	F
	Main Street to SR 99	a.m.	~~31.7~~ 20.2	~~D~~ C
		p.m.	~~--~~ 31.5	~~F~~ D
SR 120 westbound	SR 99 to Main Street	a.m.	~~--~~ 30.5	~~F~~ D
		p.m.	~~--~~ 25.5	~~F~~ C
	Main Street to Union Road	a.m.	**~~--~~ 40.9**	**~~F~~ E**
		p.m.	~~--~~ 25.8	~~F~~ C
	Union Road to Airport Way	a.m.	--	F
		p.m.	~~--~~ 26.7	~~F~~ D
	Airport Way to Yosemite Avenue	a.m.	--	F
		p.m.	~~--~~ 25.9	~~F~~ C
	Yosemite Avenue to I-5	a.m.	--	F
		p.m.	~~--~~ 27.8	~~F~~ D
SR 99 northbound	Jack Tone Road to Austin Road	a.m.	--	F
		p.m.	**43.2**	E
	Austin Road SR 120	a.m.	Leisch	E
		p.m.		E
	SR 120 to Yosemite Avenue	a.m.	Leisch	D
		p.m.		F
	Yosemite Avenue to Lathrop Road	a.m.	--	F
		p.m.	**43.4**	E

Table 4.11-11 Cumulative No Project SR 120 and SR 99 Mainline Levels of Service				
Travel Direction	Segment	Peak Hour[1]	Density (Vehicles per Miles per Lane)[2]	Level of Service
SR 99 southbound	Lathrop Road to Yosemite Avenue	a.m.	--	**F**
		p.m.	--	**F**
	Yosemite Avenue to SR 120	a.m.	Leisch	**F**
		p.m.		**F**
	SR 120 to Austin Road	a.m.	**41.4**	**E**
		p.m.	--	**F**
	Austin Road to Jack Tone Road	a.m.	**39.9**	**E**
		p.m.	--	**F**

Notes:
[1] a.m. = morning peak hour, p.m. = evening peak hour.
[2] Density is based on HCS+ analysis and results are in passenger cars per mile per lane. Weaving sections analyzed using the Leisch Method do not have a resulting density.
[3] Per HCM methodology, no density is reported for freeway segments operating at LOS F.
Source: Fehr & Peers 2008

PAGE 4.11-27

Table 4.11-12, page 4.11-27 of the Draft EIR, is hereby revised as follows (text deletions are shown in strikethrough and text additions are shown in underline):

Table 4.11-12 Cumulative No Project SR 120 Ramp Junction Levels of Service					
Travel Direction	Ramp	Merge/Diverge	Peak Hour[1]	Density (Vehicles per Mile per Lane)[2]	Level of Service
SR 120 eastbound	Airport Way	Diverge (Off-ramp)	a.m.	~~27.3~~**37.4**	~~**C**~~**E**
			p.m.	~~**59.2**~~**82.5**	**F**
		Merge (On-ramp)	a.m.	~~25.9~~**36.0**	~~**C**~~**E**
			p.m.	~~**47.6**~~**68.7**	**F**
	Union Road	Diverge (Off-ramp)	a.m.	~~28.7~~**40.9**	~~**D**~~**E**
			p.m.	~~**54.0**~~**77.3**	**F**
		Merge (On-ramp)	a.m.	~~23.8~~**35.7**	~~**C**~~**E**
			p.m.	~~**38.5**~~**59.5**	**F**
SR 120 westbound	Union Road	Diverge (Off-ramp)	a.m.	~~**38.0**~~**61.2**	~~**E**~~**F**
			p.m.	~~31.2~~**46.0**	~~**D**~~**F**
		Merge (On-ramp)	a.m.	~~**42.6**~~**62.2**	**F**
			p.m.	~~28.2~~**40.6**	~~**D**~~**F**
	Airport Way	Diverge (Off-ramp)	a.m.	~~**46.8**~~**70.0**	**F**
			p.m.	~~33.3~~**47.2**	~~**D**~~**F**
		Merge (On-ramp)	a.m.	~~**44.8**~~**63.8**	**F**
			p.m.	~~29.0~~**42.0**	~~**D**~~**F**

Notes:
[1] a.m. = morning peak hour, p.m. = evening peak hour.
[2] Density is based on HCS+ analysis and results are in passenger cars per mile per lane.
Source: Compiled by Fehr & Peers in 2008

APPENDIX C

The City agrees with the commenters requested changes as they apply to Appendix C of the Draft EIR. Appendix C of the Draft EIR is attached in its entirety to this document. Changes made to this appendix in response to comments raised by SJVAPCD are shown in underline and strikeout. These are text changes only and do not affect the results of the HRA or alter the conclusions of the Draft EIR.

APPENDIX H

The City agrees with the commenters requested changes as they apply to Appendix H of the Draft EIR. Appendix H of the Draft EIR is attached in its entirety to this document. Changes made to this appendix in response to comments raised in the comment letter are shown in underline and strikeout. Please refer to Appendix H.

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