
Central Valley Regional Water Quality Control Board

19 September 2024

Toben Barnum
City of Manteca
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COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, 144-490 QUINTAL ROAD PROJECT, SCH#2024080853, SAN JOAQUIN COUNTY

Pursuant to the State Clearinghouse's 21 August 2024 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the 144-490 Quintal Road Project, located in San Joaquin County.

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

I. Regulatory Setting

Basin Plan

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

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

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

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

Antidegradation Considerations

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

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

In part it states:

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

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

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

II. Permitting Requirements

Construction Storm Water General Permit

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

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

Clean Water Act Section 404 Permit

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

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

Waste Discharge Requirements – Discharges to Waters of the State

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

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

https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Dewatering Permit

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

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

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

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

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

Limited Threat General NPDES Permit

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

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

NPDES Permit

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

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



Peter G. Minkel
Engineering Geologist

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

California Department of Transportation

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September 17, 2024

10-SJ-120-PM R005.483
Emblem Manteca
Quintal Road Plan Set
GPA-22-66, PD-22-67 and SDV-22-68

Toben Barnum
City of Manteca
1215 W Center Street, Suite 201
Manteca, CA 95337

Dear Mr. Barnum:

The California Department of Transportation appreciates the opportunity to review the detention basin plan for the Emblem Manteca residential project. The project proposes an 818-unit development consisting of 672 multifamily units, 48 duet homes, and 96 single family homes. It is south of SR 120, east of Main Street, and on both the north and south sides of Atherton Road. The project is located at 144, 292, 301 & 490 Quintal Road. The Department has the following comments:

1. The following roadway improvements proposed by the Project on page 2-23 of the **Quintal Road Project Transportation Analysis** need to be constructed before the opening of the Phase II Multi-family Residential developments.
 - a. *Provide gated Quintal Road access on S. Main Street with right-turn-in/right-turn-out only movements to/from S. Main Street.*

2. An Encroachment Permit has been approved for roadway improvements similar to the following roadway improvements proposed by the Project on page 2-23 of the **Quintal Road Project Transportation Analysis**. Please coordinate with the City of Manteca and Caltrans District 10 Encroachment Permit Branch to make sure these improvements are compatible with Permit #10-23-6-0823 improvements. Permit #10-23-6-0823 improvements need to be constructed before the opening of the Phase II Multi-family Residential developments.
 - a. *Construct a raised median on S. Main Street between E. Atherton Drive and the SR 120 eastbound ramps.*
 - b. *Provide complete half-width street improvements with three northbound lanes and a sidewalk on the easterly side of S. Main Street between E. Atherton Drive and the SR 120 eastbound ramps.*

- c. *Configure SR 120 eastbound ramp intersection with a northbound right-turn lane to the ramp.*
3. The following roadway improvements proposed by the Project on page 2-24 of the **Quintal Road Project Transportation Analysis** need to be coordinated with the City of Manteca. The city is currently working on the project SR 120/Main Street Interchange modification which is in the PID phase.
 - a. *Upgrade traffic signal controllers at the intersections of S. Main Street and E. Atherton Drive, S. Main Street and SR 120 westbound ramps, and S. Main Street and SR 120 eastbound ramps.*
4. Appendix H (Transportation Analysis dated July 31, 2024) regarding traffic analysis shows AM and PM peak hour trips at the study intersections. However, inclusion of a diagram or map showing trip distribution percentages in the area around the proposed development as part of this transportation analysis would be beneficial, specifically regarding what percentage of trips are coming from and going to the freeway (State Route 120).
5. The document does not appear to mention an opening year for the proposed development. As there is a project to reconstruct the interchange at Main Street and State Route 120 that should be completed by 2030, please inform Caltrans of this project's opening year to facilitate coordination.
6. Caltrans recommends a Complete Streets approach to planning this development and the surrounding area that promotes bicycle and pedestrian connectivity between the development and other nearby destinations. This would include facilities such as crosswalks, sidewalks, and bicycle lanes.
7. Caltrans recommends that the development and nearby destinations include public parks and facilities necessary to accommodate alternate modes of transportation such as bus stops and shelters, bike racks, park-and-ride lots, and solar charging stations for electric vehicles.

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

Sincerely,



Tom Dumas
Chief, Office of Metropolitan Planning

From: Johnson, Kaela <Kaela.Johnson@stantec.com>
Sent: Thursday, September 26, 2024 4:32 PM
To: Toben Barnum <tbarnum@manteca.gov>
Cc: Radonich, Anna <Anna.Radonich@stantec.com>; Macenski, Trevor <Trevor.Macenski@stantec.com>
Subject: 144-490 Quintal Road - Responses

Hi Toben, Thanks again for meeting to talk through the responses. As discussed, below are the responses to the comment letters that the RWQCB and Caltrans provided on the Tiered ISMND that can be incorporated into the City's Staff Report.

Hi Toben,

Thanks again for meeting to talk through the responses. As discussed, below are the responses to the comment letters that the RWQCB and Caltrans provided on the Tiered ISMND that can be incorporated into the City's Staff Report.

Central Valley Regional Water Quality Control Board Response

The comment letter provides general information regarding the Central Valley Regional Water Quality Control Board's (RWQCB's) regulations and compliance with required permits. No specific environmental concerns relating to the Draft Tiered ISMND analysis were provided. As discussed in Section 3.10, Hydrology and Water Quality, of the Draft Tiered ISMND the Project would disturb more than 1 acre, and therefore would obtain a National Pollutant Discharge Elimination System (NPDES) Construction General Permit as required by the RWQCB and Chapter 13.28, Storm Water Management and Discharges, of the Manteca Municipal Code. The NPDES Construction General Permit would require the Project to implement a Stormwater Pollution Prevention Plan (SWPPP), which includes best management practices (BMPs) to control the discharge of pollutants in stormwater during construction. The BMPs would be consistent with the RWQCB's requirements, including the objectives of the Basin Plan, to minimize the Project's potential impacts to water quality to a less than significant level. No further response is required.

Caltrans Response

The comment letter provides general information regarding the California Department of Transportation's (Caltrans) encroachment permit requirements, the coordination and schedule requirements for the Project's proposed roadway improvements, and recommendations to develop complete streets and facilities to accommodate alternate modes of transportation. No specific environmental concerns relating to the Draft Tiered ISMND analysis were provided. However, Caltrans noted that it would be beneficial for the Local Transportation Analysis (LTA) report to include a diagram or map showing trip distribution percentages in the area around the proposed development, specifically regarding what percentage of trips are coming from and going to the freeway (State Route 120). The LTA relied on the City's recently updated Travel Demand Model for Project traffic volumes, which were provided by Fehr and Peers (see Appendix B in the LTA). This

data was then used by Stantec to prepare the LTA. While the LTA does not show the Project's trip distribution as percentages, the LTA does include adequate figures illustrating the Project's AM and PM hour intersection volumes, including the estimated intersection volumes for the eastbound and westbound ramps at S. Main and State Route 120. No further response is required.

Please let us know if you have any questions on the responses.

Thank you!

Kaela

Kaela Johnson

Environmental Planner

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