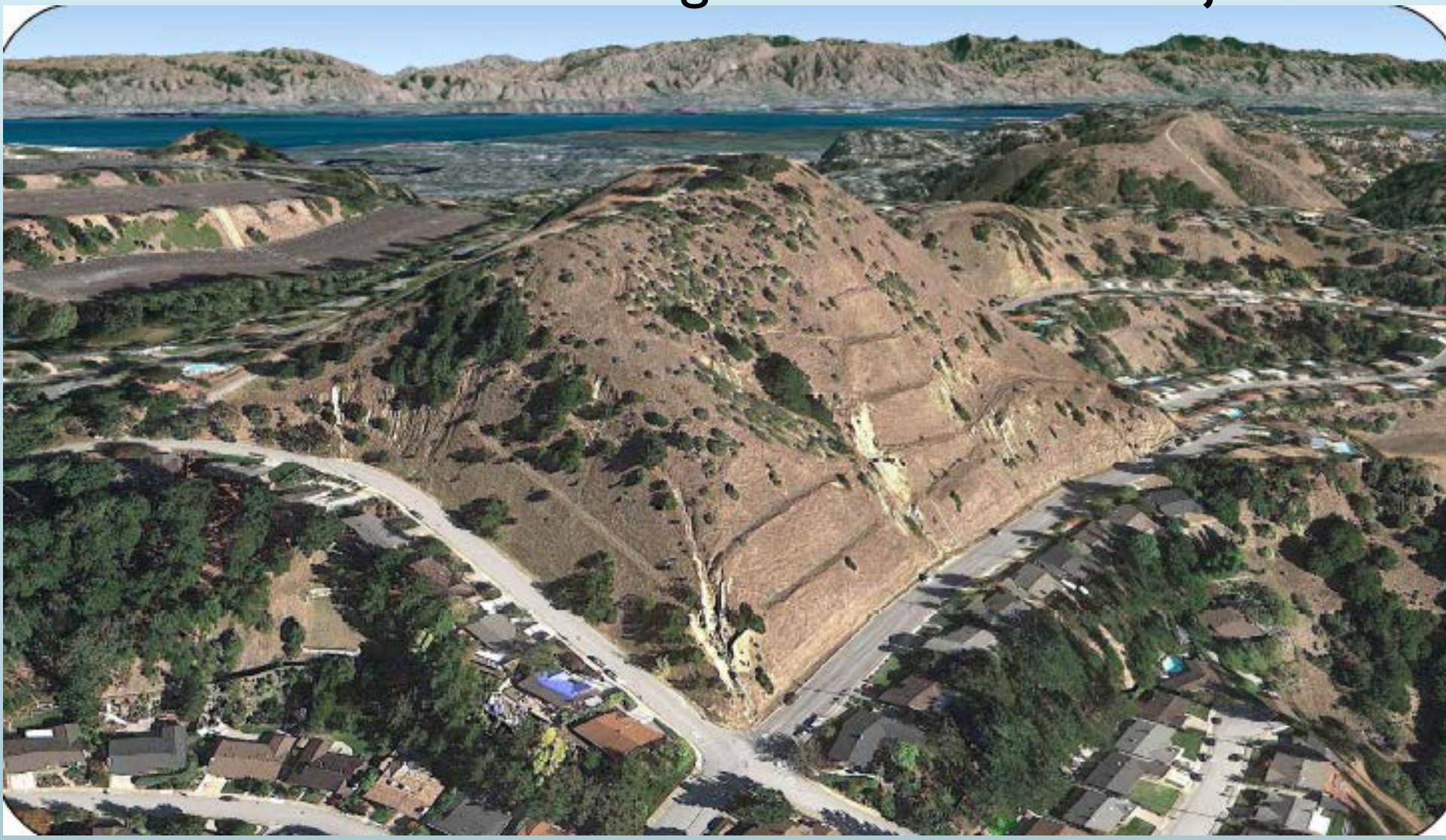
San Mateo County Planning Commission Meeting: Ascension Heights DEIR

Baywood Park Homeowners Association

May 14, 2014

San Mateo County Planning Commission: DEIR Ascension Heights Subdivision Project



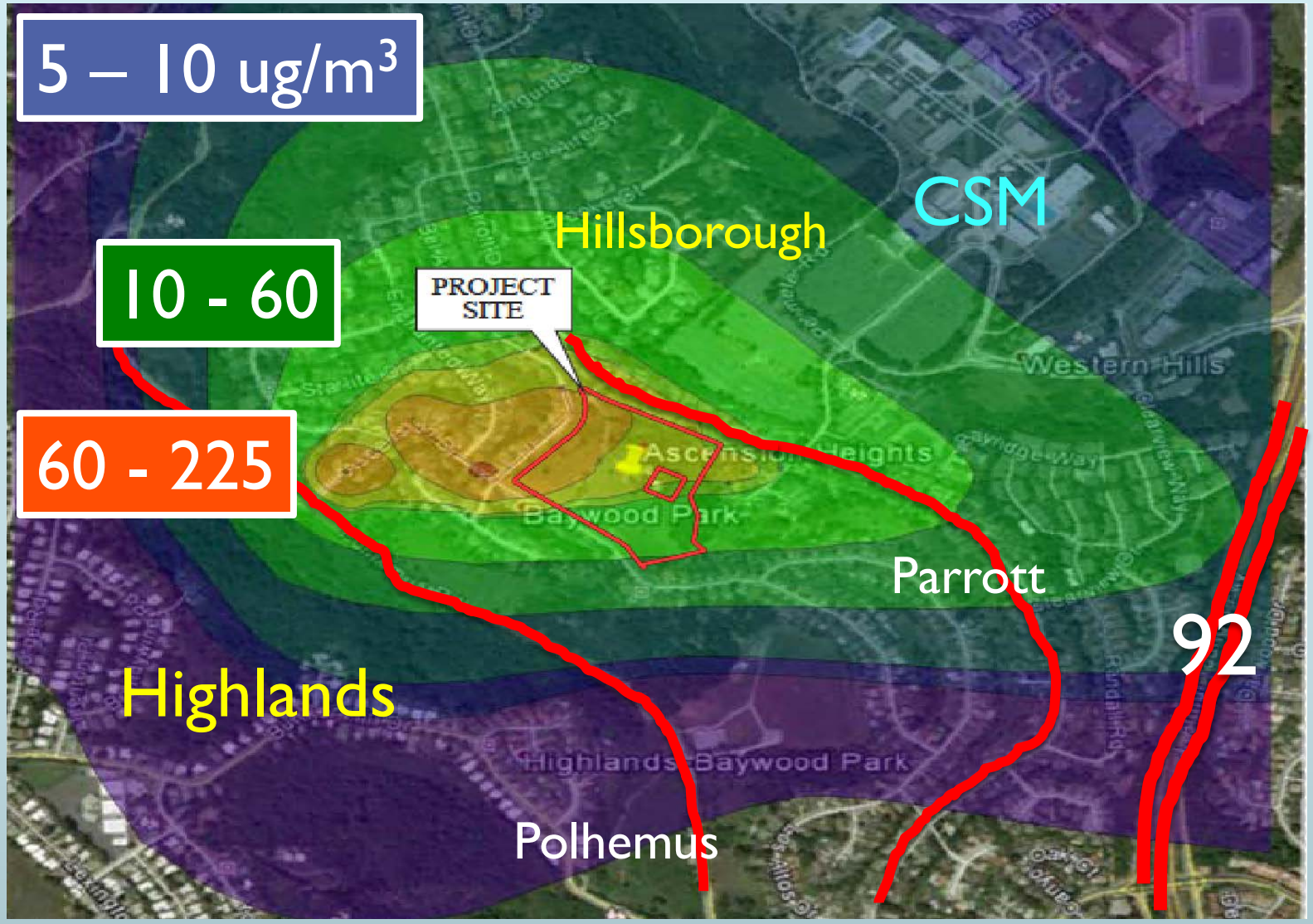
Intent of BPHA presentation

- Highlight critical shortcomings of DEIR for the Planning Commission
- To meet CEQA timelines, we will outline our concerns to permit expeditious completion of necessary additional analyses or investigations (Story Poles, traffic and air quality analyses, etc.)
- Time allotted requires short presentations; will submit written comments
- Virtually all problems were identified in our Scoping Comments of November 4, 2013, which are inadequately addressed in this DEIR

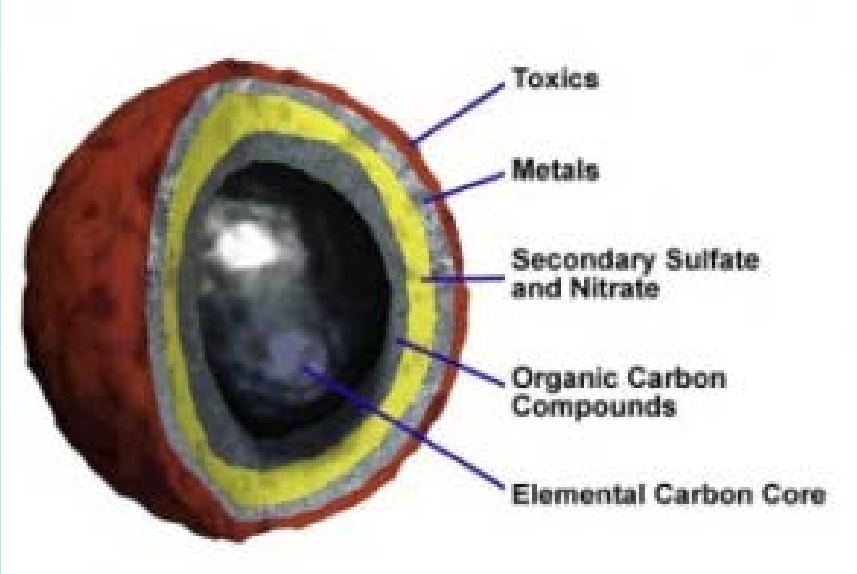
Acute Health Risks: Not Included

- "Construction emissions of Diesel Particulate Matter (DPM) are temporary and intermittent and would not create long-term health risk to sensitive receptors." (Asc Hts DEIR 2014, 4.2-21)
  - "Long-term"—Death, Heart Attack, Stroke, Asthma, COPD??
- Impacts on Acute Health Risks confirmed by
  - 100's of scientific, peer-reviewed studies,
  - American Heart Association,
  - American Lung Association,
  - Bay Area Air Quality Management District,
  - California Air Resources Board,
  - EPA

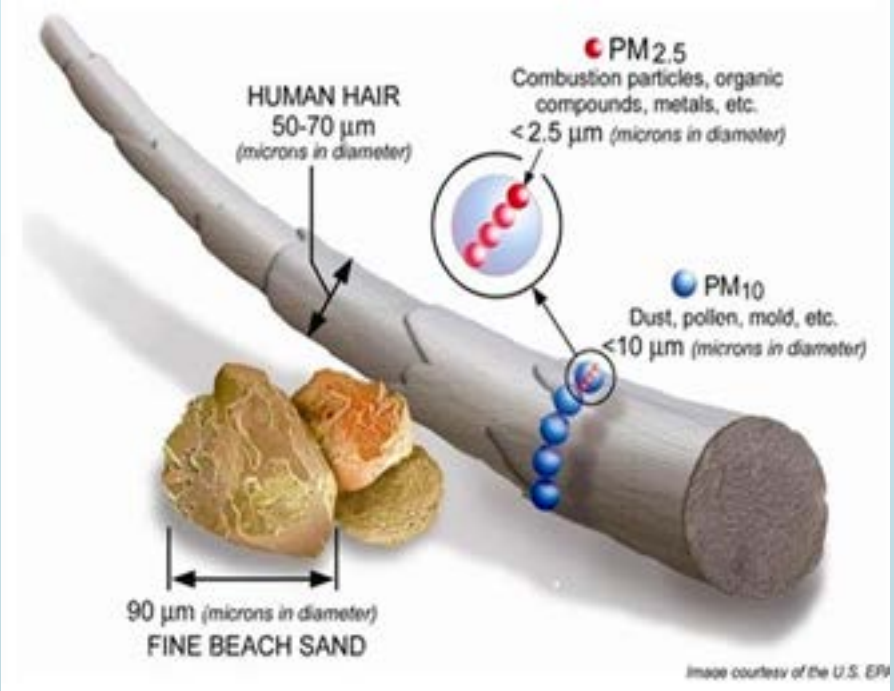
Diesel Particulate Matter (~70% PM2.5 ug/m^3)



Fine Toxic Particles



Particulate Material (PM_{xx})



PM_{10} and $PM_{2.5}$

Acute Health Risks: Air Pollution

- Immediate Health Risks following Short-Term Exposures (24 hours)
  - Death, Heart Attack, Stroke, Asthma and COPD occur 24-48 hours following exposure
  - Highest Risk: Elderly, CV disease, children, fetuses
- Small particles (PM 10 / 2.5 / 0.1 microns): dust, diesel exhaust, smoke.
- Many studies quantify health risks:
  - "Traffic exhaust causes 7.4% of all heart attacks
  - 25% increased risk of MI, Stroke, Death for each 10ug/m^3 PM2.5

Acute Health Risks: Air Pollution(2)

- California Standards:
  - Annual Average: PM2.5 < 12ug/m^3
  - Daily Average: PM2.5 < 35ug/m^3
- DEIR Dispersion model:
  - 225ug/m^3 DPM (majority particles < 0.1micron)
  - 400 neighbors at risk
  - No durations calculated
  - Worse with temperature inversions
    - 13 consecutive Spare the Air days in December 2013
- Risks are Cumulative (entire construction period)
  - Proportional to Concentration and Duration
- No Calculations Included in DEIR for Acute Health Risks

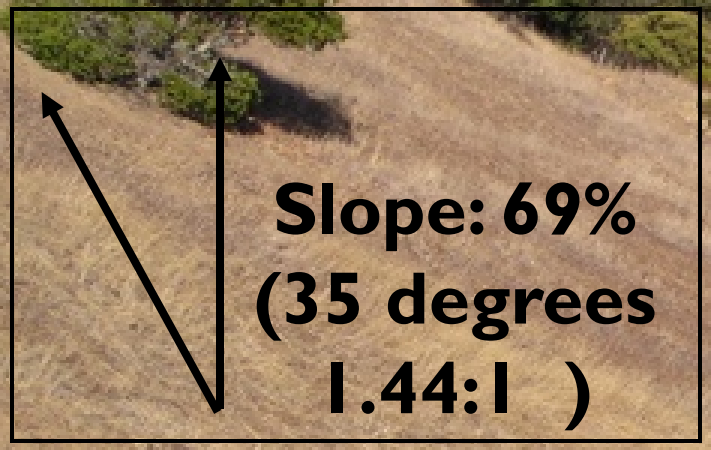
Inadequate DEIR: Air Quality

- Air Quality
  - Extremely high pollution levels calculated (DPM 250ug/m^3); no plan to halt operations during dangerous atmospheric conditions
  - No analysis of Acute Health Risks (stroke, heart attack, death, asthma, COPD)
  - Fugitive dust [50+ mi/hr winds (monitoring not defined); Inadequate watering]
  - *Must include:*
    - Halt grading operations during "Spare the Air" days
    - All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.
    - All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
    - Minimizing the idling time of diesel powered construction equipment to two minutes.
    - Requiring all contractors use equipment that meets CARB's most recent certification standard for off-road heavy duty diesel engines.

Inadequate Descriptions of Alternatives and Construction

- Evaluation of Alternatives (CEQA). "….The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project."
  - Alternatives:
    - Total of 6 pages of DEIR devoted to Alternative Assessments
    - One page per each Alternative
    - No Project Plans or Plots
    - No quantitative grading estimates
    - No meaningful considerations of CEQA Issues
- Construction Description
  - Poorly organized, construction details dispersed throughout document.
  - Many critical conclusions unsupported by Appendix or explanation
  - Inconsistent hours of construction defined (7am – 7pm, p3-17; 7am – 6pm, p4.8-11)

Ascension Hts Subdivision Draft EIR



Public Comments
Baywood Park Homeowners Association
September 9, 2009

Aesthetics

- Difficult to judge aesthetic impact given current DEIR

- Update the photos that superimpose house blocks (after page 4.1-2); the current photos are misleading and underestimate the impact
  - Show all tiers (current photos only show the first tier)
  - Remove trees and shrubs that would be cut/removed (current photos leave all of them in)
  - Include views that can see the hill (e.g., CSM 2nd parking lot actually can see most of the hill)
  - Use current photos (one near our house is at least two years old)
  - Show views from Parrott backyards; include the artistic renderings provided by the developer in 2010

- Require "Story Poles" in multiple locations to enable sufficient understanding of the aesthetic impact from 3-story houses

Aesthetics (cont'd)

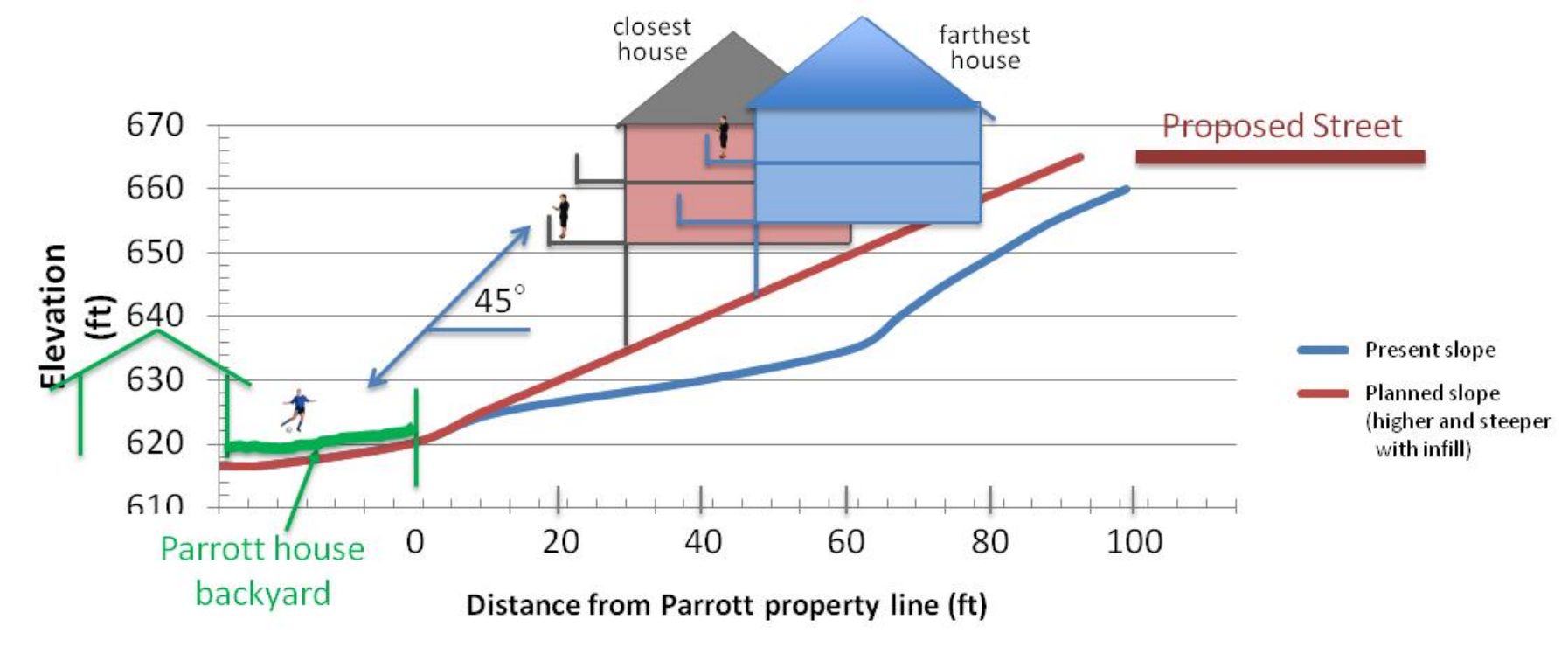
- Lighting and Light pollution
  - Insufficient data describing impact on Parrott homes from:
    - Construction lighting (Will there be night-time lights on the project site?)
    - Permanent lighting (this section of Parrott Drive does NOT have street lights)

- Lack of data for Landscape Plans
  - Impact on Parrott homes backyards from planned landscaping (e.g., due to shade, invasive growth) is not described

- Recognize that removing "the last undeveloped hill" is an impact
  - It's just not the same as extending a subdivision horizontally!

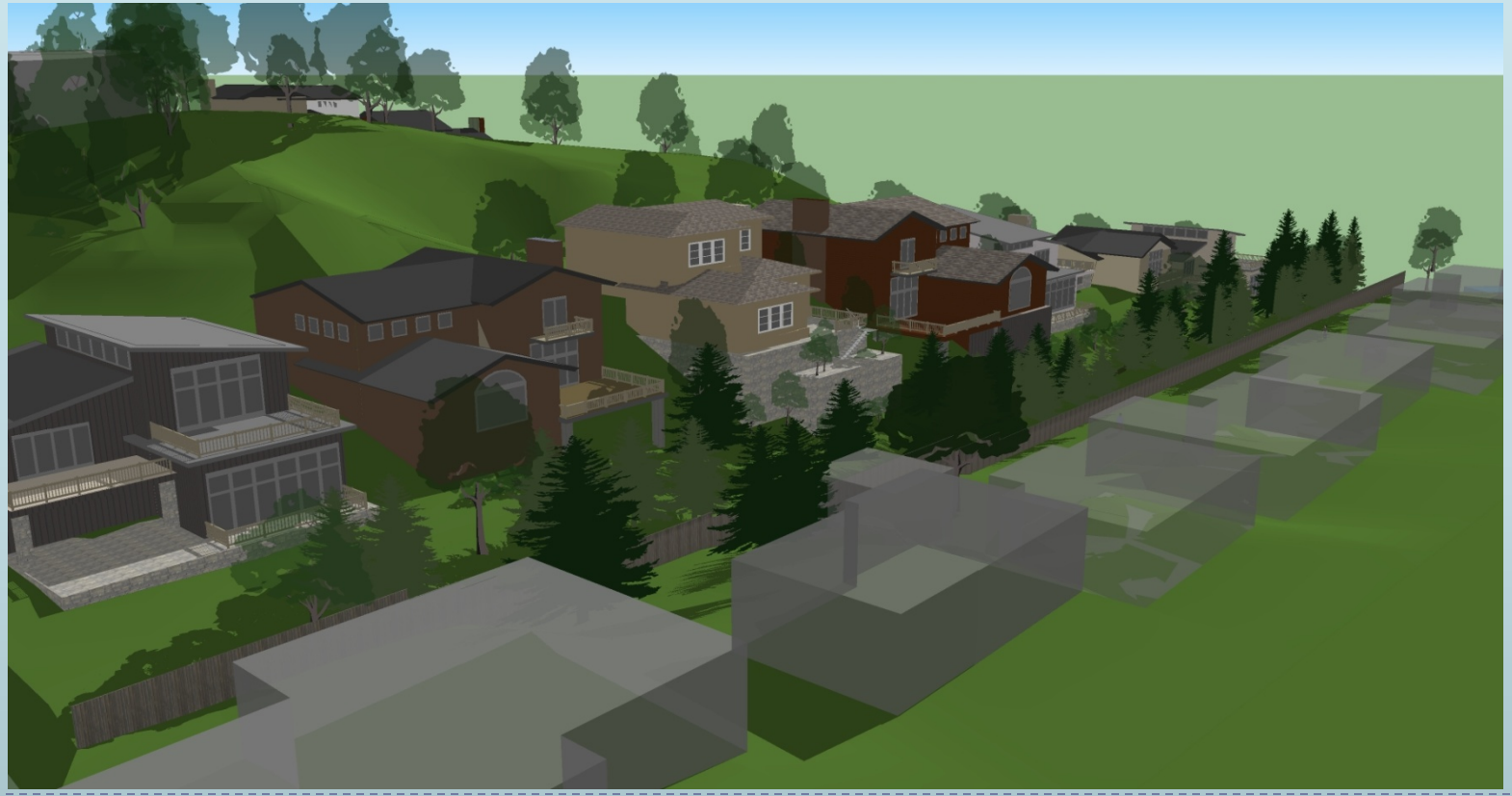
Aesthetics (cont'd)

- Missing side views showing steepness and proximity to Parrott houses



Aesthetics (cont'd)

- Rendering provided by applicant during 2010; shows only one tier
- Request similar rendering, with ALL houses shown and without the mature pine trees (which do not exist and which would be planted per the DEIR as 5-gallon replacements)



Aesthetics (cont'd)

- Rendering provided by applicant during 2010; shows view from Parrott backyard
- Request similar rendering, without the mature pine trees (which do not exist and which would be planted per the DEIR as 5-gallon replacements)

Aesthetics (cont'd)

- A house on Lot 4 (as rendered by the applicant on the prior slide) would loom over and stare into this Parrott house's backyard
- You can also get a bit of a feel for the steepness

Biological Resources

- Insufficient data in the DEIR:
  - Tree survey does not include "significant trees" adjacent to the site, which would be impacted by the project
  - No reference to the plan to maintaining "community trees"
  - Developer renderings show mature trees on the site, but there is no data as to how long it would be for those trees to reach maturity (e.g., how long would it take for the 5-gallon replacements to reach full maturity?)
  - Animal survey current limitations:
    - Owls live on the hill; we hear them nearly daily/nightly
    - Raptors fly over the hill routinely
  - No data on the disruption to migratory birds given the large number of trees that will be removed ("interference with migratory bird corridors" and foraging sites)
  - No data on the cumulative impact due to habitat loss for special-status wildlife (need specific contribution of this site loss added together with others, e.g., Chamberlain)

Biological Resources (cont'd)

- Unhelpful and confusing mitigations for trees and birds
  - Require more mature trees, e.g., "24"s (2'x2'x2' boxes) or larger, to be used as replacements
  - Conduct a longer site survey than two single-day visits to "look for birds"
  - "Removal of trees outside of nesting season" prevents future return. In what way is this a "mitigation"?
  - Confusion as to the ratio of replacement trees. The DEIR states 1:1 as the ratio on page 4.3-25 and 3:1 on page 4.1-14

Biological Resources (cont'd)

- These feathers are next to a hole on the Parrott side of the hill
- Could this be outside a burrowing owl's nest? … other bird?

Biological Resources (cont'd)

- Raptor photographed on May 12, 2014 above Lot 2

Geology and Soils

- Landslides
  - Missing data or even references on other adjacent slides
    - Between Parrott and Los Altos
    - Between the Water Tank and CSM Drive (on the same hill)
  - Missing updated data and situation from the Rainbow slide (which engineering still have failed to halt, even as of today!)
  - DEIR conflicts with Soils Engineering recommendation to repair multiple erosions, including in "Conservation" and "Undisturbed and Protected" Areas

- Soil stability and health impacted by tree removal
  - Removing ~55% of the "significant trees" on the site will disrupt soil health and slope stability; need data on the likely impact on both counts
- Dust pollution/soil dispersion
  - Incomplete data related to maintaining the soil from blowing away after grading, particularly given the DEIR describes a possible gap between grading and building

Geology and Soils (cont'd)

- Steepness
  - Very steep; request a clear reference to specific guidance in the County General Plan; lot-by-lot comparison to that guidance
  - Minimal to no reference in the DEIR commentary to the steepness on the Parrott Side, which in some places is as steep as on the Ascension side
  - CalFire, rather than comment on the steepness, made an "alternate materials and methods request for higher sprinkler fire discharge"
  - CalWater states that the access road must "ensure big heavy vehicles can access the tank site"
- Criteria not defined for HO Association responsible to repair future slope failures in conservation areas

Hydrology and Water

- Use 50- and 100-year storm calculations
  - The science over the past five years shows that 100-year storms are happening and will continue to happen much more frequently

- Lack of data on downhill flood impact if the water holding and drainage system, including swales, fails
- No computation of water seepage into Parrott, either during construction or from the proposed development, to include the any seepage from the drainage system
- Mosquito control measures in standing water not considered (yellow fever, West Nile, etc)

- Confusing references to new storm sewer down Bel Aire
- Reference to use of "concrete valley gutters" without specific locations or details
- Complex water control system requiring continual maintenance with increased risks of failures

Hydrology and Water (cont'd)

- Insufficient or erroneous information about the swale
  - Where is the swale precisely – cutting through the backyards of Lots 1-7?
  - How deep is it?

- Erroneous information about a "ditch"
  - The "ditch" near Parrott as described in the DEIR is NOT a ditch
  - It is a trail that is either flat or slopes downhill for ~500' from the southeast corner to Lot 2, where it becomes a shallow depression (~3-5 inches)
  - It could not serve as a swale or offer downhill protection from water

- CDS runoff treatment device at the corner of Bel Aire and the private road does NOT receive runoff from lots 16-19
  - How will runoff from those lots be treated?

Land Use, Planning, and Agriculture

- Should be consistent with the General Plan, which requires development to follow existing contour (implies no massive grading); please include the applicable specific references/quotations from the General Plan

- Confusing references to project timeline
  - Is it really 27 months? All prior estimates from the applicant consistently referred to five or more years to build only six more houses
  - How long is the likely gap in time to which the DEIR refers between grading and house construction?

Traffic during grading

- Lack of clarity for the route proposed for the grading trucks
  - No specific route selected for 4800 trips of 20yd^3 soil removal trucks (truck size not defined)
  - Lack of data on the turning capacity of the large trucks (site entry from Bel Aire is a very tight U-Turn when driving up Ascension)

- Trips by dump trucks onto/off the site during grading
  - Assumes an average truck size of 17 yards, rather than precise use of specifically sized trucks
  - Show trips using only 10-yard trucks (safety alternative)
  - Incorrect residential traffic impact analysis (T.I.R.E.) applied to 156 heavily loaded semi-trailer trucks per day (every 3 minutes)
  - No assessment of traffic controls necessary at Bel Aire entrance (blind spot analysis only)
  - No assessment of possible brake failures on steep surface streets or Jake brake prohibition
  - No requirement to repair damage to surface streets due to extensive truck traffic