

FINAL
ENVIRONMENTAL IMPACT REPORT

Ascension Heights Subdivision Project

Lead Agency:
County of San Mateo
Planning and Building Department
455 County Center, 2nd Floor
Redwood City, CA 94063

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ASCENSION HEIGHTS SUBDIVISION PROJECT

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I. INTRODUCTION

In accordance with Sections 15088, 15089, and 15132 of the California Environmental Quality Act (CEQA) Guidelines, the County of San Mateo (the “County”) has prepared this Final Environmental Impact Report (FEIR) for the Ascension Heights Subdivision Project. This FEIR includes the following chapters: 1) Introduction; 2) Responses to Comments; 3) Corrections and Additions to the Draft EIR; and 4) Mitigation Monitoring Program.

A. LOCATION

The project site is located within the unincorporated community of the San Mateo Highlands in the County of San Mateo, just southwest of the City of San Mateo. The site is located approximately 0.75 miles east of Interstate 280 (I-280) and 0.75 miles west of State Route 92 (SR 92). The project site is located at the eastern corner of Bel Aire Road and Ascension Drive, within the unincorporated San Mateo Highlands area of San Mateo County. The site is surrounded by single-family homes, including: the Baywood Park neighborhood located to the northeast; the Enchanted Hills neighborhood to the southeast and southwest; and the Starlite Heights neighborhood to the northwest. The College of San Mateo is located less than 0.25 miles northeast of the project site off of Parrott Drive.

B. SUMMARY OF THE PROPOSED PROJECT

The project applicant proposes to subdivide six legal parcels, which make up the project site, into 25 single-family lots. The lots would be located on both sides of a new 32-foot wide private main access road. Lot sizes would range from 10,120 square feet to 17,590 square feet. Each lot would be developed with one single-family house.

The proposed project includes approximately 98,102 square feet (approximately 17 percent of the total project site) of on-site private roadways, including the main access road (Lot “C” or “private street”), the Emergency Vehicle Access (EVA) road and the new water tank access road. The new private main access road would provide one access point, for both ingress and egress, at the northern end of the property. The EVA road would be constructed within the southeastern portion of the site, which would connect the proposed private main access road to an egress point on Ascension Drive. Further, the existing on-site access road for the off-site water tank and cell site would be abandoned and a new access road would be provided to the off-site water tank and cell site via the proposed on-site private main access road. In addition to the proposed 25 single-family homes, the proposed project open space and recreation amenities would include: an undisturbed and protected area, common areas/conservation area, trails and a tot lot. The tot lot and trails would be available for use by the general public.

Additionally, new utility lines (i.e., associated with the water supply, wastewater and storm drain systems) would need to be installed to accommodate the proposed project. All appropriate utility-related easements would be provided within the proposed on-site development

C. ENVIRONMENTAL REVIEW PROCESS

CEQA does not require formal hearings at any stage of the environmental review process (Section 15202(a) of the CEQA Guidelines). However, it does encourage “wide public involvement, formal and informal... in order to receive and evaluate public reactions to environmental issues...” (Section 15201 of the CEQA Guidelines).

Pursuant to CEQA Guidelines Section 15063, the County prepared a preliminary Initial Study which concluded that the proposed project could result in potentially significant environmental impacts and an EIR would be required. The County circulated a Notice of Preparation (NOP) of a DEIR for the proposed project to the State Clearinghouse and interested agencies and persons on October 10, 2003 for a 30-day review period and conducted a scoping meeting on December 4, 2003. Comments received on the NOP and comments received at the public scoping meeting were considered in the preparation of the DEIR.

The DEIR was made available to various public agencies, citizen groups, and interested individuals for an 80-day public review period from June 22, 2009 through September 9, 2009. The DEIR was circulated to state agencies for review through the State Clearinghouse of the Governor’s Office of Planning and Research. Copies of a Notice of Availability (NOA) of the DEIR were also sent to citizens surrounding the project site, interested groups and agencies.

The purpose of the review period is to provide interested public agencies, groups and individuals the opportunity to comment on the adequacy of the DEIR and to submit testimony on the possible environmental effects of the proposed project.

This document, together with the DEIR, makes up the FEIR as defined in the CEQA Guidelines Section 15132 as follows:

The Final EIR shall consist of:

- (a) The Draft EIR or a revision of the draft.
- (b) Comments and recommendations received on the Draft EIR either verbatim or in summary.
- (c) A list of persons, organizations, and public agencies commenting on the Draft EIR.
- (d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process.
- (e) Any other information added by the Lead Agency.

As Lead Agency under CEQA, the County must provide each public agency that commented on the DEIR with a copy of its responses to comments at least 10 days before certifying the EIR. In addition, the Lead

Agency may also provide an opportunity for members of the public to review the FEIR before certification, although this is not a requirement of CEQA.

D. USE OF THIS DOCUMENT

The FEIR allows the public and Lead Agency to review revisions to the DEIR, comments, and responses to comments before the County considers approval of the project. This FEIR (which includes the DEIR, incorporated by reference) will serve as the environmental document used by the County when considering approval of the project. After completing the FEIR and before approving the project, the Lead Agency must make the following three certifications (CEQA Guidelines Section 15090).

- The FEIR has been completed in compliance with CEQA.
- The FEIR was presented to the decision-making body of the Lead Agency, and the decision-making body reviewed and considered the information in the FEIR prior to approving the project.
- The FEIR reflects the Lead Agency's independent judgment and analysis.

In addition, if an EIR that has been certified for a project identifies one or more significant environmental impacts, the Lead Agency must adopt findings of fact (CEQA Guidelines Section 15091[a]). For each significant impact, the Lead Agency must make one of the following findings.

- Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR.
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the FEIR.

Each finding must be accompanied by a brief explanation of the rationale for the finding. In addition, the Lead Agency must adopt, in conjunction with the findings, a program for reporting or monitoring the changes that it has either required in the project or made a condition of approval to avoid or substantially lessen impacts (CEQA Guidelines Section 15091[d]). These measures must be fully enforceable through permit conditions, agreements, or other measures. This program is referred to as the Mitigation Monitoring Program (MMP).

In addition, when a Lead Agency approves a project that would result in significant and unavoidable impacts that are disclosed in the FEIR, the agency must state in writing its reasons for supporting the

approved action (CEQA Guidelines Section 15093[b]). This statement of overriding considerations must be supported by substantial information in the record, including the FEIR. Because the proposed project would result in significant and unavoidable impacts related to short-term air quality and noise impacts during the construction phase (specifically grading), the County would be required to adopt a statement of overriding considerations if it approves the project.

II. RESPONSE TO COMMENTS

A. OVERVIEW

The purpose of the public review of the Draft Environmental Impact Report (DEIR) is to evaluate the adequacy of the environmental analysis in terms of compliance with the California Environmental Quality Act (CEQA). Section 15151 of the CEQA Guidelines states the following regarding standards from which adequacy is judged:

An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among experts. The courts have not looked for perfection but for adequacy, completeness, and a good faith effort at full disclosure.

The purpose of each response to a comment on the DEIR is to address the significant environmental issue(s) raised by each comment. This typically requires clarification of points contained in the DEIR. Section 15088 (b) of the CEQA Guidelines describes the evaluation that CEQA requires in the response to comments. It states that:

The written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). 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 in detail giving reasons why specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.

Section 15204(a) (Focus of Review) of the CEQA Guidelines helps the public and public agencies to focus their review of environmental documents and their comments to lead agencies. Case law has held that the Lead Agency is not obligated to undertake every suggestion given them, provided that the agency responds to significant environmental issues and makes a good faith effort at disclosure. Section 15204.5(a) of the CEQA Guidelines clarifies this for reviewers by stating:

In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or

mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a Lead Agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.

This guideline encourages reviewers to examine the sufficiency of the environmental document, particularly in regard to significant effects, and to suggest specific mitigation measures and project alternatives. Given that an effect is not considered significant in the absence of substantial evidence, subsection (c) advises reviewers that comments should be accompanied by factual support. Section 15204(c) of the CEQA Guidelines states:

Reviewers should explain the basis for their comments, and, should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.

B. LIST OF THOSE WHO COMMENTED ON THE DRAFT EIR

The County of San Mateo (the “County”) received a total of 70 comment letters on the DEIR, and also received comments on the DEIR at a DEIR Public Hearing held on September 9, 2009. Each comment letter has been assigned a corresponding number, and comments within each comment letter are also numbered. For example, comment letter “1” is from Peter Lawrence. The comments subsequently follow the following format, “1-1, 1-2, 2-1, etc.” in this Environmental Impact Report (FEIR).

Written comments made during the public review of the DEIR intermixed points and opinions relevant to the project’s merits with points and opinions relevant to the environmental effects of the project. The responses acknowledge comments addressing points and opinions relevant to the project’s merits, and discuss as necessary the points relevant to the environmental review required by CEQA. During the 80-day public review period, the following organizations/persons provided written and oral comments on the DEIR to the County:

| <u>Commenters</u> | <u>Date</u> |
|--------------------------|--------------------|
| 1. Peter Lawrence | July 4, 2009 |
| 2. Wendy Woodard | July 6, 2009 |
| 3. Marvin Gin | July 24, 2009 |

| | | |
|-----|---|-------------------|
| 4. | Geraldine Roach | July 30, 2009 |
| 5. | Louanna Blackton | August 2, 2009 |
| 6. | Ja Lene H. Grames | August 3, 2009 |
| 7. | Lloyd M. Grames | August 3, 2009 |
| 8. | Stephen and Barbara Mikulic | August 4, 2009 |
| 9. | Linda and Gary Ottobury | August 5, 2009 |
| 10. | Department of Transportation, Lisa Carboni | August 6, 2009 |
| 11. | Marie O'Rourke | August 6, 2009 |
| 12. | State Clearinghouse and Planning Unit, Scott Morgan | August 6, 2009 |
| 13. | Leo Pagani | August 10, 2009 |
| 14. | Doug and Carol Henton | August 10, 2009 |
| 15. | Robert and Rosemarie Thomas | August 11, 2009 |
| 16. | Robert Wong | August 18, 2009 |
| 17. | Robert Strickley | August 19, 2009 |
| 18. | Donald R. Schoeffner | August 24, 2009 |
| 19. | Angela | September 1, 2009 |
| 20. | James Ho | September 1, 2009 |
| 21. | Carol McGraw | September 2, 2009 |
| 22. | Gail Logan | September 2, 2009 |
| 23. | Gary and Wendy Wong | September 3, 2009 |
| 24. | Donald Munakata | September 3, 2009 |
| 25. | Argentina Totu | September 3, 2009 |
| 26. | Ted Glasgow | September 4, 2009 |
| 27. | Donald and Laurel Nagle | September 6, 2009 |
| 28. | San Mateo Oaks Homeowners Association, Eugene Ciranni | September 6, 2009 |
| 29. | Ronald and Arlene Johnson | September 6, 2009 |
| 30. | Marie O'Rourke | September 6, 2009 |
| 31. | Alissa Reindel | September 7, 2009 |
| 32. | Strickley Family | September 8, 2009 |
| 33. | Randy Gin | September 8, 2009 |
| 34. | Patricia and Robert Velarde | September 8, 2009 |
| 35. | Michele Tomas | September 8, 2009 |
| 36. | Gordy and Pam Stroud | September 8, 2009 |
| 37. | Geraldine and Sandeep Pannu | September 8, 2009 |

| | | |
|-----|---|--------------------|
| 38. | Jean Kidera | September 8, 2009 |
| 39. | Wendy Zhong | September 9, 2009 |
| 40. | Andrew Norman | September 9, 2009 |
| 41. | Carrie Cavigioli | September 9, 2009 |
| 42. | Dave Haw | September 9, 2009 |
| 43. | Baywood Park Homeowners Association, Gerard Ozanne | September 9, 2009 |
| 44. | Gan Haw | September 9, 2009 |
| 45. | Marilyn and Patrick Haithcox | September 9, 2009 |
| 46. | Suzanne Kennedy | September 9, 2009 |
| 47. | Suzanne Kennedy | September 9, 2009 |
| 48. | Barbara Charpiot | September 10, 2009 |
| 49. | Pat Dulren | No Date Provided |
| 50. | Elsie Wright | No Date Provided |
| 51. | Else Welch | No Date Provided |
| 52. | Craig Nishizaki | No Date Provided |
| 53. | Andrew Quon | July 31, 2009 |
| 54. | Afsi Givechi | August 1, 2009 |
| 55. | Anndrena Gunn | August 1, 2009 |
| 56. | Caron Tabb | August 1, 2009 |
| 57. | Frank Shissler | August 1, 2009 |
| 58. | Helen Hann | August 1, 2009 |
| 59. | Ian and Fiona Small | August 1, 2009 |
| 60. | June Strauch | August 1, 2009 |
| 61. | Kevin Tabb | August 1, 2009 |
| 62. | M. Pitkin | August 1, 2009 |
| 63. | Marsha Aliamus | August 1, 2009 |
| 64. | Mike Hann | August 1, 2009 |
| 65. | P. Walker | August 1, 2009 |
| 66. | Peter Petkin | August 1, 2009 |
| 67. | Robert Aliamus | August 1, 2009 |
| 68. | Sheila Shea | August 1, 2009 |
| 69. | Wendy and Criag Nishizaki | August 1, 2009 |
| 70. | Baywood Park Homeowners Association, Gerald McClellan | September 8, 2009 |
| 71. | DEIR Public Hearing | September 9, 2009 |

C. TOPICAL RESPONSES

Certain topics are often raised repeatedly, albeit in slightly different forms, in comments on the DEIR. In order to minimize duplication and to provide a more comprehensive discussion, “Topical Responses” have been prepared for some of these issues, and responses to individual comments reference topical responses as appropriate. The topical responses are intended to provide a general response to several comments on the given subject. A particular topical response may provide more information than requested by any individual comment. Conversely, the topical response may not provide a complete response to a given comment, and additional information may be contained in the individual response to that comment.

The Topical Responses in this FEIR address the following issues:

1. Air Quality Impacts and Health Risk During Construction
2. Landslides and Slope Instability
3. Standards for Responses to Comments and Focus of Review of Commenters
4. Recirculation of the DEIR
5. Alternatives
6. Construction Phasing and Schedule
7. Construction Traffic Impacts
8. Construction and Operational Noise Impacts
9. Erosion Impacts

TOPICAL RESPONSE 1: AIR QUALITY IMPACTS AND HEALTH RISK DURING CONSTRUCTION

Page IV.B-10 of the DEIR describes Toxic Air Contaminants (TAC) as a broad class of compounds known to cause morbidity or mortality (usually because they cause cancer). They include both organic and inorganic chemical substances that may be emitted from a variety of common sources including gasoline stations, motor vehicles, dry cleaners, industrial operations, painting operations, and research and teaching facilities. TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, fuel combustion, and commercial operations (e.g., dry cleaners). TACs are typically found in low concentrations, even near their source (e.g., benzene near a freeway). Because chronic exposure can result in adverse health effects, TACs are regulated at the regional, state, and federal level.

Diesel exhaust is the predominant TAC in urban air and is estimated to represent about two-thirds of the cancer risk from TACs (based on the statewide average). In the Bay Area, diesel particulate matter (DPM) accounts for about 80% of the cancer risk from airborne toxics with the highest DPM emissions occurring in the urban areas of eastern San Francisco, western Alameda, and northwestern Santa Clara Counties.¹ According to the California Air Resources Board (CARB), diesel exhaust is a complex mixture of gases, vapors and fine particles. This complexity makes the evaluation of health effects of diesel exhaust a complex scientific issue. Some of the chemicals in diesel exhaust, such as benzene and formaldehyde, have been previously identified as TACs by the CARB, and are listed as carcinogens either under the State's Proposition 65 or under the federal Hazardous Air Pollutants programs. Those most vulnerable include the young whose lungs are still developing and the elderly who may have other serious health problems. Health effects include lung cancer, decreased lung function in children, chronic bronchitis, aggravated asthma, and increased respiratory symptoms. According to CARB, DPM contributes to approximately 3,500 premature deaths (including 250 cases of lung cancer) and thousands of hospital admissions and lost workdays in California each year.²

California has adopted a comprehensive diesel risk reduction program including the control of construction equipment. Off-road diesel vehicles, which include construction equipment, are regulated by CARB for both in-use (existing) and new engines. There have been four sets of standards implemented by CARB for new off-road diesel engines, known as Tiers. Tier 1 standards began in 1996. Tier 2 and 3 were adopted in 2000 and were more stringent than the first tier. Tier 2 and 3 standards were completely phased in by 2006 and 2008, respectively. On December 9, 2004, CARB adopted the Tier 4 or fourth phase of emission standards for late model year engines. These emission standards are nearly identical to those finalized by the U.S. EPA in May 2004. These standards will decrease PM and NO_x emissions from off-road diesel engines to 90 percent below current levels beginning in 2011.

Since off-road vehicles that are used in construction and other related industries can last 30 years or longer, most of those that are in service today are still part of an older fleet that do not have emission controls. As such, CARB approved, on July 26, 2007, a regulation to reduce emission from existing (in-use) off-road diesel vehicles that are used in construction and other industries. This regulation was approved by the California Office of Administrative Law (OAL) on May 16, 2008 and it became effective on June 15, 2008. This regulation includes an anti-idling limit of five minutes for all off-road vehicles 25 horsepower and up. The regulation also establishes emission rates targets for the off-road vehicles that decline over time to accelerate turnover to newer, cleaner engines and require exhaust retrofits to meet these targets. The regulation will take effect on the larger fleets first with average compliance dates in 2010 while medium and small fleet requirements will achieve compliance in 2013 and 2015, respectively.

¹ BAAQMD. 2006. *Community Air Risk Evaluation Program. Phase I Findings and Policy Recommendations Related to Toxic Air Contaminants in the San Francisco Bay Area.* September.

² CARB. 2005. *Diesel Health Effects Fact Sheet.* http://www.arb.ca.gov/research/diesel/dpm_health_fs.pdf

The U.S. EPA has adopted (in June 2006) low sulfur diesel fuel standards that will reduce diesel particulate matter substantially. As of June 1, 2006, refiners and importers nationwide have been required by the U.S. EPA to ensure that at least 80 percent of the volume of the highway diesel fuel they produce or import would be ULSD-compliant. By December 10, 2010, only ULSD fuel will be available for highway use nationwide. In California, which was an early adopter of ULSD fuel and engine technologies, 100 percent of the diesel fuel sold – downstream from refineries, up to and including fuel terminals that store diesel fuel – was ULSD fuel since July 15, 2006. Since September 1, 2006, all diesel fuel offered for sale at retail outlets in California have been ULSD fuel.

In cooler weather, smoke from residential wood combustion can be a source of TACs. Localized high TAC concentrations can result when cold stagnant air traps smoke near the ground and, with no wind, the pollution can persist for many hours. This occurs in sheltered valleys during the winter. Woodsmoke also contains a significant amount of PM₁₀ and PM_{2.5}. Woodsmoke is an irritant and is implicated in worsening asthma and other chronic lung problems.

Section IV.B, Air Quality, on pages IV.B-17 through IV.B-22 of the DEIR, includes the following analysis of the air quality impacts and associated health risk as a result of the construction phase of the proposed project. As discussed under Impact AQ-1, Construction/Demolition Emissions of the project would result in **significant** TAC emissions during the grading phase.

Impact AQ-1 Construction/Demolition Emissions

Grading

The grading phase would require approximately 34 to 44 days for completion, with the appropriate utility infrastructure added after this phase. The construction of the new private street would require an additional 6 months post the grading phase. All utility stubouts would be completed as part of the one phase tract improvements. The building schedule and phasing of the individual houses has not yet been determined; however, it is assumed for this analysis that buildout would be completed in 4.5 - 5 years. Construction activities would generate pollutant emissions from the following construction activities: grading, construction worker travel to and from the project site, delivery and hauling of construction supplies and debris to and from the project site, and fuel combustion by on-site construction equipment. These construction activities would temporarily create emissions of dusts, fumes, equipment exhaust, and other air contaminants.

PM₁₀ is typically the most significant source of air pollution from construction, particularly during site preparation and grading. PM₁₀ emissions from construction can vary daily, depending on various factors, such as the level of activity, type of construction activity taking place, the equipment being operated, weather conditions, and soil conditions. Typically, the Bay Area Air Quality Management District (BAAQMD) does not require quantitative analysis for construction. Rather the analysis is focused on identifying the most appropriate control measures. However, the proposed project would require a substantial amount of grading, resulting in the generation of a large amount of truck traffic during the

grading phase. It was anticipated that the emissions associated with the grading activities would exceed emissions typically generated by “normal” construction. Thus, potential emissions during the grading phase of the project were calculated and compared to the BAAQMD significance thresholds for operational impacts.

Approximately 131,480 cubic yards (c.y.) of earth material would be graded for the proposed project on slopes averaging 40 percent. Specifically, the grading phase of the proposed project would require approximately 96,000 c.y. of cut material (with a maximum depth of 25 feet) and 35,480 c.y. of fill material (with a maximum depth of 10 feet). As stated above, the grading phase would require approximately 34 to 44 days for completion. Of this total, approximately 60,520 c.y. of earth material would be exported by haul truck. Construction emissions were estimated using the CARB’s URBEMIS2007 model³, which considers the type of land use, vehicle mix, and average trip lengths. The model has a construction emissions module, in which the grading phase was selected. Inputs to the model for construction grading emissions included the size of the construction area (approximately 13.3 acres), the area disturbed on a daily basis (about ¼ of the site or 3.5 acres), the duration of most grading operations (34-44 work days; using the average as 39 work days), the amount of earth material exported (i.e., 60,520 cubic yards), and the year of construction (2008). Each truck trip length was estimated to be 15 miles. The model defaults were used to estimate the amount of off-road construction equipment and number of workers required to perform the task. The model predicts emissions for fugitive dust, off-road diesel equipment (i.e., on site construction equipment), on-road diesel equipment (haul trucks), and worker trips.

Table IV.B-4 on page IV.B-19 of the DEIR presents uncontrolled emissions predicted by the URBEMIS2007 model that are associated with site grading. As seen in this Table, grading activities associated with construction would have a *significant* impact on air quality.⁴

TACs

Construction equipment and associated heavy-duty truck traffic generates diesel exhaust, which is a known TAC. The BAAQMD has not yet adopted any procedures or guidelines for identifying these impacts from temporary construction activities where emissions are transient. They are typically evaluated for stationary sources (e.g., large compression ignition engines such as generators) in health risk assessments over the course of lifetime exposures (i.e., 24 hours per day over 70 years). As stated above, the hauling of export soil during the grading phase would occur over a 39-day average period and would be limited to no longer than 11 hours per day. Therefore, due to the short duration of the grading activities, and the fact that the remainder of the construction activities are considered typical, the

³ Jones & Stokes Associates. *Software Users Guide: URBEMIS2007 for Windows with Enhanced Construction Module, Version 9.2.4 – Emission Estimation for Land Use Development Projects*. September 2008.

⁴ The BAAQMD CEQA Guidelines does not have a significance determination for NOx during the construction phase of a project. This significance determination is based on conservative assumptions to reduce NOx emissions further than required.

probability of the Maximally Exposed Individual (MEI)⁵ contracting cancer will not be greater than 10 in one million or result in a non-cancer hazard index of one (BAAQMD significance thresholds).

However, according to the BAAQMD, several control measures are available to further reduce TAC emissions associated with the grading phase of the project, and the BAAQMD has stated that these measures should be implemented as part of the project. To date, these control measures have not been incorporated into the grading phase of the project, nor has the project applicant acknowledged that these measures would be implemented. For these reasons, project impacts related to TAC emissions during the grading phase would be *significant*.

General

As stated previously under the grading discussion, due to the scope and complexity of the grading and utilities, all work proposed on the tentative map is proposed to be complete in one phase. The grading phase would require approximately 34 to 44 days for completion, with the appropriate utility infrastructure added after this phase. The construction of the new private street would require an additional 6 months post the grading phase. All utility stubouts would be completed as part of the one phase tract improvements. The building schedule and phasing of the individual houses has not yet been determined; however, it is assumed for this analysis that buildout would be completed in 4.5 - 5 years. Emissions from these phases of construction can vary considerably depending on the specific activities taking place, level of activity, soil conditions, and weather. Per BAAQMD existing guidance, the significance of these construction air quality impacts is addressed through application of reasonable control measures to reduce PM₁₀ rather than detailed quantification of construction emissions. Other sources of construction-related emissions include exhaust emissions from gasoline or diesel powered construction equipment, solvents in construction materials, and gases emitted from asphalt for a short period of time after paving occurs. The BAAQMD accounts for a region-wide inventory of construction emissions in air quality planning efforts.

At this time, the standard BAAQMD control measures have not been incorporated into the project, nor has the project applicant acknowledged that these measures would be implemented. Although the project's construction-related emissions would be temporary in duration, in the absence of control measures, construction-related emissions could be substantial.

Given all the reasons stated above, project impacts on air quality during grading would be *significant*.

The following mitigation measures are required for Impact AQ-1. With implementation of the following mitigation measures the significant PM₁₀ impacts would be reduced to a less-than-significant level. However, because construction activities associated with the project would exceed the BAAQMD NO_x

⁵ An MEI is a hypothetical off-site person, usually at or near the site boundary, who would receive the maximum exposure from a facility's operations.

operational threshold, short-term project impacts on air quality during construction would remain ***significant and unavoidable***.

Mitigation Measure AQ-1

Construction Phase

Under BAAQMD CEQA Guidelines, implementation of the mitigation measures listed below is required during demolition, grading, and construction of the proposed project. These mitigation measures shall be implemented for all areas (both on-site and off-site) where construction activities would occur.

1. Sprinkle water on all active construction areas at least twice daily and more often when conditions warrant.
2. Cover all trucks hauling soil, sand and other loose materials or require all trucks to maintain at least two feet of freeboard.
3. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
4. Sweep daily all paved access roads, parking areas, and staging areas at construction sites.
5. Sweep streets daily if visible soil material is carried onto adjacent public streets.
6. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas.
7. Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
8. Limit traffic speeds on unpaved roads to 15 miles per hour.
9. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
10. Replant vegetation in disturbed areas as quickly as possible.
11. Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site.
12. Suspend grading activities when winds exceed 25 miles per hour and visible dust clouds cannot be prevented from extending beyond active construction areas. Given wind conditions at the site, winds exceeding 25 miles per hour can be expected from time to time, so periods of suspended construction activity can be expected.
13. Limit the area subject to excavation, grading and other construction activity at any one time.

Grading Equipment Exhaust Mitigations

Construction equipment generates diesel exhaust, which is a known TAC that poses both a health and nuisance impact to nearby receptors. NO_x from equipment exhaust contributes to regional O₃ formation. Though not required under the existing BAAQMD CEQA Guidelines, the control measures listed below should be implemented during the grading phase of the project to minimize diesel TAC and NO_x emissions.

1. Opacity is often an excellent indicator of exhaust particulate emissions from off-road diesel powered equipment. The project shall ensure that emissions from all construction diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately.
2. Where possible, to control TACs and PM₁₀, use reformulated or alternative diesel fuels. For equipment with engines built in 1994 or later, consider using B80 or B100 fuel, (80 percent or 100 percent biodiesel fuel). B100 reduces TAC emissions by approximately 80 percent to 90 percent. In pre-1994 engines, use B-20 fuel, (a mixture of 20 percent biodiesel and 80 percent fossil diesel fuel). If B20 is used, the fossil diesel component should be CARB low-sulfur fuel (less than 15 ppmw). Other fuels include synthetic diesel fuel and aqueous diesel fuel.
3. If a certified unit is available for an individual piece of equipment, the contractor shall utilize an oxidation catalyst or catalytic particulate filter on all diesel powered equipment rated above 50 horsepower. These systems require CARB low-sulfur diesel fuel. Commercial fossil diesel fuel is available with near-zero sulfur levels. Biodiesel is also CARB certified as low-sulfur (near-zero ppmw).
4. Where possible, the contractor shall use Purinox additive or equivalent. Depending on equipment, this reduces emissions of both NO_x and PM₁₀ by 20 percent to 40 percent.
5. The contractor shall install temporary electrical service whenever possible to avoid need for independently powered equipment (e.g., compressors).
6. Diesel equipment standing idle for more than five minutes shall be turned off. This would include trucks waiting to deliver or receive soil, aggregate, or other bulk materials. Rotating drum concrete trucks could keep their engines running continuously as long as they were on-site.
7. Properly tune and maintain equipment for low emissions.
8. The County shall designate a Disturbance Coordinator responsible for ensuring that mitigation measures to reduce air quality impacts from construction are properly implemented. The Disturbance Coordinator shall be responsible for notifying adjacent land owners of construction activities and schedule and shall provide a written list of the aforementioned dust control

measures. The list shall identify a contact person that will respond to any complaints. A log shall be kept of all complaints and the actions taken to remedy any valid complaint as well as the response period.

As a protective measure, the following mitigation has been added to Mitigation Measure AQ-1 on page IV.B-22 of the DEIR:

“Naturally Occurring Asbestos

Additional soil samples at the project site shall be obtained and tested for the presence of naturally occurring asbestos by a state certified testing laboratory in accordance with requirements of the CARB and the BAAQMD and the results shall be provided to the County Planning and Building Department.

If naturally occurring asbestos is identified at the site, a site health and safety (H&S) plan including methods for control of airborne dust shall be prepared that shall control dust generating excavation and compaction of material containing naturally occurring asbestos. Methods to control naturally occurring asbestos dust shall include those indicated in OPR’s CEQA and Asbestos: Addressing Naturally Occurring Asbestos in CEQA Documents, Appendix 2. These include:

- Water wetting and/or chemical sealant application
- Excavation only during calm periods
- Rinsing of vehicles and equipment
- Covering loads of excavated material
- Vegetative reclamation
- Asphalt cement paving”

According to the BAAQMD CEQA Guidelines, implementation of Mitigation Measure AQ-1 (Construction Phase Measures Number 1 - 13) outlined previously would reduce significant impacts of PM₁₀ to a less-than-significant level. Further, Construction Equipment Exhaust Measures Number 1 - 7 under Mitigation Measure AQ-1 would represent best available control measures for reducing grading phase TAC and NO_x emissions. Additionally, implementation of Construction Equipment Exhaust Measure Number 8 would further reduce emissions by ensuring proper implementation of the mitigation measures. The emissions reduction provided by most of these mitigation measures were estimated using the URBEMIS2007 model. With implementation of the above measures, PM₁₀ emissions would be reduced by over 80 percent to about 56 ppd, resulting in less-than-significant impacts for that pollutant. Equipment exhaust emissions of NO_x could be reduced by about 20 percent to 142.3 ppd. However, these emissions would continue to exceed the 80 ppd BAAQMD operational threshold during the grading phase. The Mitigation Measure AQ-1 measures only affect the on-site sources of NO_x emissions and

have no effect on emissions from haul trucks. Besides shortening haul route travel lengths during the grading phase, there are no reasonable measures that could reduce this significant portion of the NO_x emissions that are mostly off-site. One measure to consider that would reduce NO_x emissions would be an extended grading period that would reduce the number of daily trips and on-site equipment exhaust. However, the period of the impact would be extended, and NO_x emissions would likely remain greater than the BAAQMD operational threshold. Implementation of the abovementioned Construction Equipment Exhaust Mitigation Measures 1 - 8 would further reduce the TACs associated with the project's haul trucks, and the associated impacts would be less than significant. Because grading activities associated with the project would exceed the BAAQMD NO_x operational threshold, short-term project impacts on air quality during construction would be ***significant and unavoidable***.

TOPICAL RESPONSE 2: LANDSLIDES AND SLOPE INSTABILITY

Pages IV.D-15 through IV.D-17 of the DEIR describe the landslide and slope instability hazards at the project site and area.

Landslides and Slope Instabilities

A planning-level hazard map prepared by the U.S. Geologic Survey (USGS) in 1985 indicates the northeast slope of the knoll on the site has a low susceptibility of failing during a major earthquake, while the remaining project site slopes have a moderate to high susceptibility. Historical landslide activity in the subdivision adjacent to the project site indicates Franciscan Complex melange in the site vicinity can be highly susceptible to landslides. For clarity, the discussion of landslide hazards has been divided into deep-seated landsliding, shallow landsliding, and temporary cut slope stability.

Deep-Seated Landslide Hazards

Michelucci & Associates (M&A) prepared a geotechnical and geologic engineering investigation for the project site which was subject to a third party peer review process by EIR consultant's geologist. M&A concludes there are no indications of previous and existing deep-seated slope instability at the project site and that the risk of deep-seated slope failures developing in the future is low. However, deep-seated landslides have occurred in the project site vicinity. In 1983, a landslide occurred between Rainbow Drive and Starlite Drive, approximately 800 feet northwest of the project site. The north boundary (headscarp) of the 1983 landslide extended into the back yards of several Starlite Drive properties and threatened several homes. Applied Earth Consultants (1983) concluded the 1983 landslide occurred as a result of oversteepening of the slope during mass grading for the subdivision in the 1950's/1960's, localized grading in 1979, and high rainfall during the two years preceding the landslide. Final repair and reconstruction of the slope was completed using engineered fill in 1985. Subsequently, a portion of the repaired slope failed again in February 1998, and required the installation of a pier and grade beam wall at the northwestern portion of the original slide repair.

In 1997, a landslide occurred between Polhemus Road and Rainbow Drive, approximately 1,200 feet northwest of the project site. The landslide threatened several residences and a large-diameter water supply pipeline, and destroyed a pier-and-grade-beam retaining wall installed behind the residences. Stabilization of the landslide consisted of a tie-back retaining wall and engineered fill. Prior to stabilization, interim measures for protecting the water pipeline included placing a temporary fill buttress in Polhemus Creek near Polhemus Road.

Despite the occurrence of deep-seated landslides in the project site vicinity, the project site shows no readily visible evidence of past deep-seated landsliding. This conclusion is supported by subsurface exploration completed by other consultants, and by the site reconnaissance and review of aerial photographs. The more stable condition of the project site slopes is attributed to the surrounding areas and to the presence of a single large (or multiple abutting smaller) sandstone blocks within melange bedrock beneath the project site. This bedrock condition contrasts with melange in the surrounding areas that has a substantial proportion of weak, sheared clayey matrix material that is more susceptible to slope failure.

Shallow Landslide Hazards

M&A observed shallow, limited extent soil slumps on pre-development aerial photographs, which were largely removed by site grading during the late 1950s. A relatively broad, shallow, bowl-shaped area was observed on the southwest slope. Test pits and exploratory borings performed within the bowl-shaped area encountered bedrock within a few feet from ground surface, and indicated the area is not a deep-seated landslide. Areas of active soil creep were observed in the 1946 aerial photographs along the northwestern and southwestern slopes. Virtually all of the observed creeping soil areas were removed by subsequent slope cuts made during construction of Bel Aire Road and Ascension Drive.

While any remaining native soil is subject to future surficial creep, it is expected that the rate of creep to be minor and typical of similar slopes in the San Francisco Bay area.

Temporary Cut Slopes

M&A (2002) stated that there are no adverse bedding and/or joint orientations in the bedrock underlying the project site, but measured only two fracture attitudes from the many test pits that were excavated around the project site. These attitudes were taken from the southwest slope of the knoll and are not adverse to the slope in that location. However, if the jointing were consistent across the project site, the orientation would be adverse on the northeast slope of the knoll. Because the approximate center of the project site occupies the top of a knoll, with slopes in every direction, it is conceivable that adverse bedding and/or joints would be encountered at one or more locations at the project site. Any adverse bedding that exists would increase the potential for landsliding.

Section IV.D, Geology & Soils, on pages IV.D-21 through IV.D-23 of the DEIR, includes an analysis of the environmental impacts related to landslides and slope stability as a result of the development of the

proposed project. Impact GEO-2 (Landslides & Soil Instabilities) concludes that project impacts related to deep-seated landslide hazards, shallow landslide hazards, temporary cut slopes, and landslide hazards to adjacent properties would be **significant**, but with implementation of the recommended mitigation measures, these impacts could be reduced to a less-than-significant level.

Impact GEO-2 Landslides & Soil Instabilities

Deep-Seated Landslide Hazards

It is expected that small localized areas of weak rock or sheared matrix material within the melange could be present at the project site. Where these weak zones extend beneath the sandstone, the project site slopes could be subject to deep-seated failure if the slopes are not properly graded during site development. This concern is particularly relevant for the neighboring residences along the northeast project site boundary, where the slope was previously cut steeply to create level back yards and proposed site grading includes placing fill in proximity to the cut slope. Therefore, project impacts related to deep-seated landslides would be **significant**.

Shallow Landslide Hazards

M&A concluded that a primary geotechnical consideration to increase the factor of safety with respect to shallow slope stability would involve the proposed repair of existing erosional features and improvement of drainage in these areas. It is anticipated that the proposed grading would remove most if not all of the remaining areas of active soil creep. Considering that relatively steep slope inclinations are planned for the new development, the project site could become susceptible to debris-flow type failures. Evidence of such failures was not observed in the aerial photographs. However, changes in drainage from the proposed site development could result in concentrated storm water runoff onto the project site slopes. This runoff would have the potential to trigger debris-flow type landslides that could endanger neighboring streets and properties. Additionally, localized minor “sliver” fills associated with the remnant construction roads could also be susceptible to creep and/or failure. Therefore, project impacts related to shallow landslide hazards would be **significant**.

Temporary Cut Slopes

As discussed previously, it is conceivable that adverse bedding and/or joints would be encountered one or more locations at the project site. Any adverse bedding that exists would increase the potential for landsliding. The presence of adverse bedding and joints would be primarily a concern during construction when steep temporary cuts into rock may expose unstable slabs or wedges of bedrock. Therefore, project impacts related to slope instabilities due to adverse bedding in temporary cut slopes would be **significant**.

Hazards to Adjacent Properties

It should be recognized that while the project site bedrock conditions are relatively favorable from a deep-seated landslide standpoint, bedrock conditions beneath the neighboring properties are unlikely to be as favorable. It is possible that if runoff from the project site is not properly managed, the project could contribute surface and groundwater to the neighboring slopes, potentially resulting in slope and soil instabilities. Therefore, project impacts related to hazards to adjacent properties would be **significant**.

The following mitigation measures would reduce Impact GEO-2 to a **less-than-significant** level:

Mitigation Measure GEO-2

- The applicant shall retain a qualified engineering geologist to observe all excavations for evidence of weak zones, adverse bedding and joints, within bedrock. Weak zones can be identified by: (1) adversely oriented bedding, joints or shears, or (2) the presence of sheared clayey material typical of the melange matrix. Any weak zones shall be evaluated to determine whether they present a potential zone for future landsliding based on planned final site grades and appropriate mitigation shall be included. Additionally, such zones shall be protected from groundwater derived from infiltrating rainfall, irrigation, and leaking pipes by installing appropriate subdrains and sloping surface grades.
- Where new fill slopes are planned on residential lots, the applicant shall retain a qualified engineering geologist to perform settlement and slope stability analyses to evaluate the static and seismic performance of the proposed sloped fill. Where encountered, the potential hazard posed by these conditions shall be evaluated from a standpoint of temporary and permanent slope stability. Also, the engineering geologist shall provide technical input and review surface and subsurface drainage plans and specifications for compliance with the geologist's recommendations.
- All unnecessary fill utilized during site grading shall be removed off-site after construction activities are completed.
- The applicant shall retain a qualified engineering geologist to provide technical input and review of the surface and subsurface drainage systems for the purpose of reducing the potential for adverse impacts, such as shallow and deep-seated landslides, on and adjacent to site. Common design issues that may required technical input include: (1) the location of surface and subsurface drainage alignments, especially within filled slopes, (2) selection of water discharge locations, (3) separation of surface and subsurface water collection pipes, (4) location of pipe cleanouts, and (5) recommendations for controlling groundwater flow through trench backfill.
- The site storm water drainage system (including individual systems for each residence) shall include redundancies to prevent discharge of uncontrolled runoff onto the site slopes in the event one or more components of the storm water system becomes clogged or otherwise incapacitated.

Concentrated runoff shall not be allowed to flow over graded slopes or over areas of thick soil, colluvium or fill.

TOPICAL RESPONSE 3: STANDARDS FOR RESPONSES TO COMMENTS AND FOCUS OF REVIEW OF COMMENTERS

Various comments request additional analysis, mitigation measures, or revisions that are not provided in the FEIR for reasons more specifically addressed in the individual comments. Section 15204(a) of the State *CEQA Guidelines* (“*CEQA Guidelines*”) (Focus of Review) provides basic guidance regarding this issue.

Section 15204(a) states:

In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.

Section 15003 also explains the emphasis of CEQA upon good-faith efforts at full disclosure rather than technical perfection:

(i) CEQA does not require technical perfection in an EIR, but rather adequacy, completeness, and a good-faith effort at full disclosure. A court does not pass upon the correctness of an EIR's environmental conclusions, but only determines if the EIR is sufficient as an informational document. (Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692).

(j) CEQA requires that decisions be informed and balanced. It must not be subverted into an instrument for the oppression and delay of social, economic, or recreational development or advancement. (Laurel Heights Improvement Assoc. v. Regents of U.C. (1993) 6 Cal.4th 1112 and Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553).

Sections 15204(a) and 15003 reflect judicial interpretation of CEQA. Reviewers are encouraged to focus on the sufficiency of the environmental document's analysis, mitigation measures, and project alternatives. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. CEQA requires that lead agencies need only respond to significant environmental issues, and do not need to provide all information requested by reviewers, so long as a good faith effort at full disclosure is made in the EIR.

Under CEQA, the decision as to whether an environmental effect should be considered significant is reserved to the discretion of the lead agency based on substantial evidence in the record as a whole. The analysis of this EIR is based on scientific and factual data which has been reviewed by the lead agency and reflects its independent judgment and conclusions. CEQA permits disagreements of opinion with respect to environmental issues addressed in an EIR. As Section 15151 of the *CEQA Guidelines* states, even “[d]isagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among experts.” In addition, various comments assert or request that impacts should be considered significant or that significance conclusions of the EIR should be revised but fail to provide substantial evidence in support of their assertion. Section 21080(e) of CEQA defines the type of evidence required to support a conclusion of significant effect on the environment. It provides that:

(1) For the purposes of this section and this division, substantial evidence includes fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact. (2) Substantial evidence is not argument, speculation, unsubstantiated opinion or narrative, evidence that is clearly inaccurate or erroneous, or evidence of social or economic impacts that do not contribute to, or are not caused by, physical impacts on the environment.

Section 15204(c) of CEQA advises reviewers that comments should be accompanied by factual support:

Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.

Finally, various comments request that the EIR analyze the potential impacts of scenarios that require significant speculation. CEQA does not require such analysis. *CEQA Guidelines* Section 15145 provides that:

If, after thorough investigation, a lead agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact.

TOPICAL RESPONSE 4: RECIRCULATION OF THE DEIR

Recirculation of the DEIR is not required under CEQA. CEQA Guidelines Section 15088.5 provides direction for EIR recirculation prior to certification. According to Section 15088.5 (a):

A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term “information” can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. “Significant new information” requiring recirculation include, for example, a disclosure that:

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

CEQA Guidelines Section 15088.5 (b) provides that:

Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications to an adequate EIR.

Responses to comments provided in this document address significant environmental issues raised by commenting public agencies, private organizations and individuals. In some instances, additional information regarding the project description or potential project impacts has been provided in response to specific queries. For the most part, this new material may be found as additional information in the Corrections and Additions section of the FEIR. This new information has been provided merely to clarify or amplify information in the DEIR. The new information does not reveal that the project would cause new significant impacts not previously identified in the DEIR. A review of the new information indicates that there would not be a substantial increase in the severity of an environmental impact discussed in the DEIR. Also, no significant new information has been added that changes the EIR in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the

project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. Therefore, in accordance with CEQA Guidelines Section 15088.5 (b), no recirculation of the DEIR is required.

TOPICAL RESPONSE 5: ALTERNATIVES

The State *CEQA Guidelines* require that EIRs include the identification and evaluation of a reasonable range of alternatives that are designed to reduce the significant environmental impacts of the project while still meeting the general project objectives. The State *CEQA Guidelines* also set forth the intent and extent of the alternatives analysis to be provided in an EIR. The DEIR meets the spirit and intent of Section 15126.6 (Consideration and Discussion of Alternatives to the Proposed Project) of the CEQA Guidelines. Section 15126.6(a) of the CEQA Guidelines states:

An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparable merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

Section 15126.6(b) of the State *CEQA Guidelines* states:

Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment, the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of project objectives, or would be more costly.

Section 15126.6(c) of the State *CEQA Guidelines* states:

The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet

most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.

The County selected four alternatives for analysis in the DEIR to constitute a reasonable range of potentially feasible alternatives that would foster informed decision making and public participation. CEQA does not preclude the inclusion of alternatives that show alternative designs to the proposed project. The alternatives analysis was presented as a comparative analysis to the proposed project. Differences between the alternatives included changes to the site plan, number of the residential units, density, and alternative roadway alignments. A thorough description of each of the alternatives is provided in Section VI, Alternatives to the Proposed Project, of the DEIR. The alternatives that were analyzed in comparison to the proposed project include:

Alternative A: No Project Alternative

Alternative B: City of San Mateo Zoning (R1-B District) Alternative

Alternative C: Large-Lot Alternative

Alternative D: 15-lot Alternative

Section VI of the DEIR consists of a detailed analysis of the potential environmental impacts of each project alternative, including a separate discussion of each environmental issue area (e.g. traffic, air quality, etc.) for each alternative, and provides “sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. A matrix displaying the major characteristics and significant environmental effects of each alternative may be used to summarize the comparison. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed.” (CEQA Guidelines Section 15126.6[d])

The DEIR alternatives analysis also addresses the feasibility of each alternative as required by CEQA Guidelines Section 15126.6(f)(1), which states:

Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent). No one of these factors establishes a fixed limit on the scope of reasonable alternatives.

TOPICAL RESPONSE 6: CONSTRUCTION PHASING AND SCHEDULE

Page III-37 of the DEIR describes that project grading and construction would be completed in one phase, but that the grading phase, which would involve soil exportation off-site, would require approximately

five to six weeks. Specifically, the grading phase would require approximately 34 to 44 days for completion, with the appropriate utility infrastructure added after this phase. The construction of the new private street would require an additional 6 months post the grading phase. All utility stubouts would be completed as part of the one phase tract improvements. The building schedule and phasing of the individual houses has not yet been determined; however, it is assumed for this analysis that buildout would be completed in 4.5 - 5 years.

TOPICAL RESPONSE 7: CONSTRUCTION TRAFFIC IMPACTS

Pages IV.I-25 and IV.I-26 of the DEIR describe the amount of truck trips and associated traffic impacts that would occur during the project's construction phase. These impacts were found to be ***potentially significant*** but could be reduced to less-than-significant levels with the implementation of Mitigation Measure TRANS-6 on page IV.I-26 of the DEIR. The project's construction traffic impacts and associated mitigation measures are described below.

Impact TRANS-6 Construction Impacts

The most noticeable traffic impact during construction of the proposed project would be hauling excavated soil from the project site. The project applicant's civil engineer estimated 60,520 cubic yards (cy) of soil would need to be exported from the project site. Per the 2008 traffic report, depending on the type of truck used, a haul truck can carry about 20 cy of soil per trip. Therefore, based on the estimated 60,520 cy of export material, approximately 3,036 total haul truck round trips would be needed for exporting soil. Per Section III (Project Description) of the DEIR, the grading is estimated to be completed in about 34 to 44 days, which calculates to be about 69 truck round trips per day. Per traffic report, the haul routes should be limited to SR 92, West Hillsdale Drive, CSM Drive, Parrott Drive, Laurie Lane, and Bel Aire Road. Heavy trucks would not be recommended on Ascension Drive due to the steep grade. The project applicant has stated that parking for construction vehicles and workers would be accommodated entirely within the project site. As such, there would not be a need to park on Bel Aire Road.

The grading and construction phase of the proposed project could overlap with other projects in the vicinity, particularly the new Crystal Springs Bypass Tunnel project and the various improvement projects at the College of San Mateo. Depending on the actual construction dates of the proposed project and various related projects (refer to Table III-1 on page III-16 of the DEIR; in particular related projects in the vicinity of the proposed project roadways), it is possible that heavy trucks required to import and/or export materials to the related project sites could use roads to be used by the soil haul trucks for the proposed project.

Although project construction traffic is a temporary condition, the additional trips on roadways could contribute to a noticeable traffic increase on Ascension Drive, Bel Aire Road, Laurie Lane, Parrott Drive, De Anza Boulevard, Polhemus Road, and CSM Drive. Given the amount of truck trips required for the

proposed project, any additional truck traffic from the related projects would represent a ***potentially significant***, but short-term cumulative traffic impact.

The following mitigation measure would reduce the impact described above to a less-than-significant level:

Mitigation Measure TRANS-6

- The haul route streets shall be limited to SR 92, West Hillsdale Drive, CSM Drive, Parrott Drive, Laurie Lane, and Bel Aire Road. That would minimize the number of residential streets used by trucks. Trucks shall not utilize Ascension Drive because of the existing traffic level and the steep grade.
- Construction activity shall be limited to the hours of 8:00 AM and 4:30 PM Monday through Friday. No activity or staging shall occur outside these hours.
- To minimize impacts to traffic and public safety, truck traffic for soil export from the project site shall be limited to between the hours of 10:00 AM and 3:00 PM.
- Loaded trucks shall be limited to a maximum speed of 20 mph when operating in residential areas.
- No staging of trucks or construction equipment shall occur within the adjacent residential area at any time.
- Temporary “truck crossing” signs shall be placed in both directions on Bel Aire Road near the site entrance. Flagmen shall be used, as necessary, to control traffic during the arrival and departure of trucks and equipment.
- Construction workers shall be required to park on-site, i.e., no parking on Bel Aire Road or Ascension Drive.
- If construction or haul trucks driving to and/or from the project site cause any substantial damage to private driveways in the immediate vicinity of the project site, such damage shall be repaired by, or paid for by, the project applicant.
- As a condition of the grading permit required of the project applicant by the County, the applicant shall be responsible for the repair of any damage to roads resulting from the export of soil from the project site. Such repair shall be to the satisfaction of the San Mateo County Department of Public Works.

TOPICAL RESPONSE 8: CONSTRUCTION AND OPERATIONAL NOISE IMPACTS

Pages IV.G-10 through IV.G-15 of the DEIR describe the project's noise impacts related to on-site construction, off-site soil haul trips, on-site operation of the project, and traffic noise. The DEIR's analysis of the project's noise impacts is provided below.

Impact NOISE-1 Temporary Increases in Noise (Construction Noise)

Due to the scope and complexity of the grading and utilities, all work proposed on the tentative map is proposed to be complete in one phase. The grading phase would require approximately 34 to 44 days for completion, with the appropriate utility infrastructure added after this phase. The construction of the new private street would require an additional 6 months post the grading phase. All utility stubouts would be completed as part of the one phase tract improvements. The building schedule and phasing of the individual houses has not yet been determined; however, it is assumed for this analysis that buildout would be completed in 4.5 - 5 years.

On-Site Construction

Noise generated during construction would differ depending on the construction phase and the type and amount of equipment used at the construction site. Table IV.G-5 provided below presents typical ranges of energy equivalent noise levels (L_{eq}) at 50 feet for housing construction. Further, the U.S. EPA has compiled data related to the noise-generating characteristics of specific types of construction equipment and noise levels that can be achieved with implementation of feasible control measures. These data are presented in Table IV.G-6. As shown in Table IV.G-6, noise levels generated by heavy equipment can range from approximately 76 dB(A) to 89 dB(A) when measured at 50 feet and 70 dB(A) to 83 dB(A) when measured at 100 feet, without implementation of noise reduction measures. Typically, the noisiest pieces of equipment used during similar construction projects include jackhammers and pavers, which produce noise levels of approximately 75 and 80 dB(A) at 50 feet with implementation of the required feasible noise reduction control measures. As with all construction equipment, these noise levels would diminish rapidly with distance from the construction site at a rate of approximately 6 dB(A) per doubling of distance.

Table IV.G-5
Noise Levels by Construction Phases for Domestic Housing

| Typical Ranges of Energy Equivalent Noise Levels at 50 Feet L_{eq} in dBA at Construction Sites | | |
|---|--|---|
| Construction Phase | All Pertinent Equipment Present at the Site | Minimum Required Equipment Present at the Site |
| Ground Clearing | 83 | 83 |
| Excavation | 88 | 75 |
| Foundations | 81 | 81 |
| Erection | 81 | 65 |
| Finishing | 88 | 72 |
| <i>Source: USEPA, Legal Compilation on Noise, Vol. 1, p. 2-104, 1973.</i> | | |

Table IV.G-6
Noise Levels and Abatement
Potential of Construction Equipment Noise at 50 and 100 Feet (in dB[A])

| Equipment | Noise Level at 50 Feet | | Noise Level at 100 Feet | |
|--|------------------------|----------------------------|-------------------------|----------------------------|
| | Without Controls | With Controls ¹ | Without Controls | With Controls ¹ |
| <u>Earthmoving</u> | | | | |
| Front Loaders | 79 | 75 | 73 | 69 |
| Backhoes | 85 | 75 | 79 | 69 |
| Dozers | 80 | 75 | 74 | 69 |
| Tractors | 80 | 75 | 74 | 69 |
| Graders | 85 | 75 | 79 | 69 |
| Pavers | 89 | 80 | 83 | 74 |
| Trucks | 82 | 75 | 76 | 69 |
| <u>Materials Handling</u> | | | | |
| Concrete Mixer | 85 | 75 | 79 | 69 |
| Concrete Pump | 82 | 75 | 76 | 69 |
| Crane | 83 | 75 | 77 | 69 |
| Concrete Crusher | 85 | 75 | 79 | 69 |
| <u>Stationary</u> | | | | |
| Pumps | 76 | 75 | 70 | 69 |
| Generator | 78 | 75 | 72 | 69 |
| Compressors | 81 | 75 | 75 | 69 |
| <u>Impact</u> | | | | |
| Jack Hammers | 88 | 75 | 82 | 69 |
| Pneumatic Tools | 86 | 80 | 80 | 74 |
| <u>Other</u> | | | | |
| Saws | 78 | 75 | 72 | 69 |
| Vibrators | 76 | 75 | 70 | 69 |
| <i>Notes:</i> ¹ Noise levels that can be achieved with implementation of feasible noise controls. Feasible noise controls include selecting quieter procedures or machines and implementing noise-control features requiring no major redesign or extreme cost (e.g., improved mufflers, equipment redesign, use of silencers, shields, shrouds, ducts, and engine enclosures). <i>Source: U.S. Environmental Protection Agency, "Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances," NTID 300-1, 1971.</i> | | | | |

Based on a review of the proposed site plan and vicinity maps (refer to Figures III-3, III-4, III-12 and III-18 of the DEIR), site grading and home construction on the northeast portion of the site may take place as close as 50 feet from the rear of the existing residences fronting on Parrott Drive. Other area residences will be further removed from the construction activities at 200 feet or more from the proposed home pads. Construction activities for the proposed project would include site grading, road paving, removal of material, foundation work, framing, and exterior & interior finishing. The highest noise levels would be generated during site grading, with somewhat lower noise levels occurring during building construction and finishing. When site work (i.e., ground clearing, excavation, paving and foundation work) activities are occurring near the residences adjacent to the site, specifically along the edges of the site, daytime levels can be expected to significantly exceed existing noise levels. As construction proceeds to the interior of the site noise levels at these residences will diminish. Per an exemption to the County Ordinance Code (Section 4.88.360, Exemptions), short-term construction noise may exceed the standard

outlined in Table IV.G-4, providing that all construction activities are limited to weekdays between 7:00 AM and 5:00 PM. However, noise produced by construction activities would be audible and exceed the measurement average existing noise levels by 3 dB(A) or more during the entire construction period at nearby residences. Therefore, construction activities on the project site would result in a substantial temporary and periodical increase in noise levels at adjacent land uses, constituting a **significant impact**.

Off-Site Haul Trips

It is estimated that approximately 69 soil haul truck trips per day for approximately a maximum of 44 days (approximately 3,036 truck round trips for soil export) would be needed to complete the proposed project site grading. Though the route used to haul material from the site has not been established at this time, Section IV.I (Transportation/Traffic) of the DEIR recommended that the haul route be limited to SR 92, West Hillsdale Drive, CSM Drive, Parrott Drive, Laurie Lane, and Bel Aire Road in order to minimize the number of residential streets used by trucks. Per Section IV.I (Transportation/Traffic) of the DEIR, trucks shall not utilize Ascension Drive because of the existing traffic level and the steep grade. Existing noise levels along the other abovementioned residential streets would be similar to those measured for Bel Aire Road and Ascension Drive.

Per Table IV.G-6, the typical noise levels generated by slow moving heavy duty trucks with and without implementation of control measures would be expected to range from 75 to 82 dB(A) and 69 to 76 dB(A) at a typical residential façade setback from the roadway centerline of 50 feet and 100 feet, respectively. If the number of haul trucks per hour leaving the site are considered to be relatively constant over the 44-day material removal period, then the average hourly noise levels at the residential facades along the haul routes would increase from current noise levels in the high 40 to low 50 dB(A) range to the mid to high 60 dB(A) range with and without implementation of control measures on haul trucks. Based on this analysis, noise produced by the soil haul trucks trips associated with project's construction period would cause average noise levels at land uses along the haul route to increase by more than 3 dB(A), producing a noticeable, but intermittent noise impact during the period of site grading requiring soil export. Based on the above discussion, noise generated along the soil haul truck route on local, residential roads during the projects construction period would constitute a **significant**, short-term noise impact.

The following mitigation measures would be implemented to lessen the above impacts associated with Impact NOISE-1 by reducing noise levels associated with project construction; however, it is possible that people at adjacent land uses and along roadways used by haul trucks would continue to experience increases in noise greater than 3 dB(A) during the project's construction period. Therefore, even with implementation of the mitigation measures outlined below, impacts related to short-term noise increases would remain **significant and unavoidable**.

Mitigation Measure NOISE-1

1. The following measures shall be required to limit construction and related activities to the time of the day when the number of persons in the adjacent residential uses would be lowest:

- a. Construction activity shall be limited to the hours of 8:00 AM and 4:30 PM Monday through Friday.
 - b. No machinery shall be cleaned past 6:00 PM or serviced past 6:45 PM, Monday through Friday.
 - c. To minimize impacts to traffic and public safety, truck traffic for soil export from the project site shall be limited to between the hours of 10:00 AM and 3:00 PM.
 - d. No construction shall be allowed on Sundays and holidays or without permission from the County.
2. Feasible noise controls to minimize equipment noise impacts on nearby sensitive receptors shall be implemented. Feasible noise controls include improved mufflers, use of intake silencers, ducts, engine enclosures, and acoustically-attenuating shields or shrouds.
 3. Equipment used for project construction shall be hydraulically or electrically powered impact tools (e.g., jack hammers) wherever possible to avoid noise associated with compressed air exhaust from pneumatically-powered tools. Where use of pneumatically-powered tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used. A muffler could lower noise levels from the exhaust by up to about 10 dB(A). External jackets on the tools themselves shall be used where feasible; this could achieve a reduction of 5 dB(A). Quieter procedures shall be used (such as drilling rather than impact equipment) wherever feasible.
 4. Construction equipment with internal combustion engines shall not be allowed to idle unnecessarily. All equipment should be turned off when not in use.
 5. All stationary noise-generating construction equipment, such as air compressors, shall be located as far as practical from existing nearby residences and other noise-sensitive land uses. Such stationary equipment shall be acoustically-shielded.
 6. Heavy equipment, such as paving and grading equipment, shall be stored on-site whenever possible to minimize the need for extra heavy truck trip on local, residential, streets.
 7. The project applicant shall notify all residents within a 2,000-foot radius of the project of the project's estimated construction schedule. This notification shall include a description of the types of construction activities and their approximate duration.
 8. A "noise disturbance coordinator" who would be responsible for responding to any local complaints about construction noise, shall be designated. This individual would most likely be the contractor or a contractor's representative. The disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.), if one is made, and shall require that reasonable measures warranted to correct the problem be implemented. A telephone

number for the disturbance coordinator at the construction site shall be conspicuously posted and shall include the phone number in the notice sent to neighbors regarding the construction schedule.

Impact NOISE-2 Result in Permanent and Temporary/Periodic Increases in Noise

On-Site Operation

The proposed project includes the development of 25 new single-family homes within a predominantly vacant site, which is located adjacent to existing single-family residential uses surrounding the site. Residential developments are not considered “noisy” uses because they do not involve stationary noise sources that substantially increase the ambient noise levels at the development location or in the vicinity. Sounds heard in a residential setting are usually associated with activities such as people talking, vacuuming, kids playing basketball, dogs barking, lawn mowing, doors closing, car engines starting, etc. These sounds are temporary in nature, occur intermittently, and do not affect the overall ambient noise level at the location of the residential development. Though the noise environment may change noticeably in some areas due to the occupation of the new residences, the noise associated with proposed single-family homes residences would not be incompatible with existing single-family residential uses. Therefore, operational noise impacts would be ***less than significant*** and no mitigation measures are required.

Traffic Noise Impacts

Typically the primary increase in noise levels created by a new residential development is associated with the traffic generated by the development. Most affected by this increase in noise level are land uses located along roadways used by the residential-related traffic. Generally, transportation noise levels increase by 3 to 5 dB(A) (a perceptible noise level increase) with a doubling in traffic. Traffic generated by the project would increase the existing noise levels along roadways that would be used by project-related traffic. However, the Traffic Analysis Report (2008) prepared for the proposed project shows that traffic associated with the project would not result in a doubling of traffic volumes (refer to Section IV.I, Transportation/Traffic and Appendix I of the DEIR). The increase in traffic due to the project would result in no more than a 1 dB(A) increase in noise levels along area roadways under the Near Term (2013) traffic scenario, over the existing noise environment. Further, based on the results of the long-term noise measurements and review of future traffic conditions (Cumulative (2020)) as analyzed in Section IV.I (Transportation/Traffic) of the DEIR, all proposed lots on the project site would be exposed to environmental noise levels of less than 55 dB(A) under Cumulative (2020) traffic conditions and would thus be fully compatible with the intended residential use. Because noise levels associated with project traffic would not result in an increase of 3 dB(A) or more, traffic noise impacts on the proposed on- and off-site land uses would be ***less than significant*** and no mitigation measures are required.

TOPICAL RESPONSE 9: EROSION IMPACTS

As stated on page III-36 of the DEIR, the project has been designed with several permanent Best Management Practices (BMPs) for long-term treatment of the runoff (e.g., grassy-lined swales; refer to Section IV.E, Hydrology & Water Quality of the DEIR). The proposed on-site drainage system would consist of underground pipes, inlets, drainage structures and retention systems, and concrete valley gutters. The proposed on-site pipeline system would include two separate storm drain pipelines (i.e., consisting mainly of smooth-walled high density polyethylene (HDPE) plastic) that would be installed within the northern and southern portions of the site (i.e., North [Line “A”] and South [Line “B”]). Line A would connect the individual drainage systems associated with Lots 1-10 and the water tank parcel (not part of the project) and convey the summation of stormwater into the northern treatment system (located along the main site entrance) before exiting the site via a new underground storm drain line along Bel Aire Road (refer to Figure III-17 of the DEIR). Additionally, Line B would connect the individual drainage structures for Lots 11-25 and from the EVA road for conveyance of stormwater into the southern treatment system (located near the southern project boundary adjacent to the EVA road and Ascension Drive) before exiting the site via a new pipeline running underground along Ascension Drive. The new off-site storm drain lines would connect into a common manhole at the intersection of Bel Aire Road and Ascension Drive. The system would then connect into the existing County storm drain system, following Ascension Drive down to Polhemus Road, with the treated runoff ultimately released into Polhemus Creek.

Each individual lot would have its own separate retention system comprising of a two large underground diameter pipes. Lots 1-10, 14-18, and 20 would have 2- to 24-inch diameter by 50-foot long retention pipes. Lots 11-13 and 21-25 would have 2- to 24-inch diameter by 60-foot long retention pipes. Lot 19 would have 2- to 36-inch diameter by 60-foot long retention pipes. Each lot retention system has been oversized in order to compensate for the runoff from the on-site private roadway (i.e., Lot “C”). This system would retain stormwater runoff in each lot prior to entering the storm drain system via Lines A or B. As stated above, two separate on-site continuous deflective separation (CDS) hydrodynamic separator runoff treatment devices would be included as part of the drainage system. These chambers are designed to remove as many pollutants as possible. The CDS is specifically designed to remove large trash, oil and small sedimentation particles. However, the CDS requires a regular maintenance schedule to perform properly; it is anticipated that any Covenants, Conditions and Restrictions (CC&Rs) for the development will require a CDS maintenance agreement.

While the existing erosional feature at the site’s corner of Bel Aire Road and Ascension Drive would remain within the proposed conservation area, the new storm drain system proposed to be installed on the site would ensure that runoff is adequately conveyed off-site to existing storm drains. Runoff that currently flows over land, uncontrolled, at the site would be redirected into the proposed drainage system, thereby reducing the potential for erosion over the existing condition. Adequate implementation and monitoring of the mitigation measures included in DEIR would ensure that erosion impacts would be *less than significant*.

From: "Peter C. Lawrence" <pdlaw@pacbell.net>
To: "James Castaneda" <JCastaneda@co.sanmateo.ca.us>
Date: 7/4/2009 10:20
Subject: Re: Ascension Heights Subdivision Draft EIR

James,

Thanks for the link and information. I've been studying the report with interest. There are several matters of concern to me and others living on Ascension Drive that I would like to address, but I do not know if either I overlooked them in the document or if there is a special protocol/form for raising issues.

One primary concern is water. I see how plans for water diversion and drainage on the site are described, but I do not see any concerns for ongoing problems that may be exacerbated by construction. Underground water from the hill affects most houses on Ascension from time to time due to storms. Will the developer or HOA be responsible for changes that increase risk of health or safety to existing homes in the 1500 block of Ascension that face the project?

Another concern is the emergency road and the "concrete block walls" along Ascension Drive. Appearance comes to mind. Is there a possibility that the strategy used on Highway 92 West of Half Moon Bay Gap could be used here attempting to make the concrete look more "natural"?

Is a sidewalk planned for Bel Aire Road and Ascension Drive? I cannot determine this from the maps of the site, but perhaps I'm not reading things correctly.

Under "alternatives" I note a 15 unit development. Is there a map/design for this alternative? Would such an option eliminate the need for the emergency road described for this project?

I would appreciate knowing how to appropriately address these matters. And thank you for your time and attention; I appreciate that more is being expected from county employees with fewer resources in economically stressful times.

Peter Lawrence

On Jun 30, 2009, at 11:13 AM, James Castaneda wrote:

> Peter,
 > The link for the document is midway through the page as your scroll
 > down listed as Ascension Heights Subdivision Draft Environmental
 > Impact
 > Report (EIR) Documents. The direct link is as follows:

>
 >
 > <http://www.co.sanmateo.ca.us/portal/site/planning/menuitem.2ca7e1985b6c8f5565d293e5d17332a0/?vgnextoid=1c8357d273fe1210VgnVCM1000001937230aRCRD&cpsextcurrchannel=1>

> For obvious reasons, we did not put that link on the mail out, and due

1-1

1-2

1-3

1-4

1-5

1-7

> to county's technical limitation on our website, we could not get a
> simpler, direct web address. Further, we're in the middle of updating
> the departments homepage, where it will be easier to navigate to our
> EIR
> documents. Due to this forthcoming update, we had to make sure we
> put a
> web address that will still lead the public to this new website when
> it
> goes live in a few weeks. I apologize for any confusion, but the link
> provided in the notice to the document is on the department's home
> page.
> Please let me know if you require any further information.

>
> Regards,
> James A. Castañeda

>
> _____
> James A. Castañeda, Planner II
> County of San Mateo
> Planning & Building Department
> 455 County Center, 2nd Floor
> Redwood City, CA 94063
> OFFICE: +1 (650) 363-1853
> FAX: +1 (650) 363-4849

>
>
>
>
> Save Paper.
> Think before you print.
>



1-7

Response to Comment Letter 1**Peter Lawrence**Response 1-1

This comment introduces ensuing comments, which are addressed in Responses 1-2 through 1-7, below.

Section 15204(a) (Focus of Review) of the CEQA Guidelines helps the public and public agencies to focus their review of environmental documents and their comments to lead agencies. Case law has held that the Lead Agency is not obligated to undertake every suggestion given them, provided that the agency responds to significant environmental issues and makes a good faith effort at disclosure. Section 15204.5(a) of the CEQA Guidelines clarifies this for reviewers by stating:

In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a Lead Agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.

This guideline encourages reviewers to examine the sufficiency of the environmental document, particularly in regard to significant effects, and to suggest specific mitigation measures and project alternatives.

Response 1-2

Page IV.D-7 of the DEIR describes that free groundwater was not encountered in any of the test borings. However, moisture was noticed in Test Boring Number 7 at a depth of about 12 feet. Further, during the geotechnical site analysis, the depth to the groundwater table was not determined; however, it was expected to be relatively deep, reflect the surface topography, and to fluctuate with precipitation. Groundwater levels tend to fluctuate seasonally and could rise to depths explored in the future. Shallow, seasonal "perched" groundwater sometimes occurs in the topsoil layer when the soil is underlain by dense, less pervious, bedrock. M&A observed groundwater seepage from the base of weathered rock and above the less pervious rock along Ascension Drive. A portion of M&A's field investigation was conducted shortly following a rainfall period of approximately 2 days with precipitation on the order to 2 to 3 inches. During this investigation M&A observed active seepage of water from the toe of the cut slope adjacent to Ascension Drive and from the base of the weathered rock horizon (overlying less

weathered rock) 1 to 2 feet below the ground surface. Per M&A, erosion occurs primarily within this zone, and that groundwater, except possibly as relatively slow seepage, does not penetrate to greater depth. Also, refer to Topical Response 9, Erosion Impacts.

Regarding project impacts associated with underground water, refer to Topical Response 2, Landslides and Slope Instability. Provided the required mitigation measures listed in Topical Response 2 (also listed on page IV.D-23 of the DEIR) are adequately implemented and monitored, no significant landslide and slope instability impacts to existing homes in the 1500 block of Ascension Drive would occur.

Response 1-3

Page III-29 of the DEIR describes that an Emergency Vehicle Access (EVA) road would be constructed within the southeastern portion of the site, which would connect the proposed main access road or private street loop (Lot "C") near proposed Lot 25 to an egress point on Ascension Drive. This roadway would include the following features: a 20-foot wide street surface; a vehicle turn out; multiple level (5 to 10 feet high) keystone block retaining walls (i.e., two walls on the north side of the street near Lot 21 and 22 and three walls along the eastern and southeastern portions of the street); and maximum street grades of 20 percent, with 2 percent surface slopes (refer to Figures III-15 and III-16 of the DEIR).

There are no specific landscaping plans proposed at this time. However, the intent is to utilize drought-tolerant, native vegetation in order to restore areas within the site to a natural habitat.

While Section IV.A, Aesthetics, of the DEIR concluded that aesthetics impacts associated with the project would be less than significant, page IV.A-23 of the DEIR includes the following mitigation measures to further reduce the project's adverse aesthetics impacts:

Mitigation Measure AES-1

- In addition to the required site Conservation Easements, Tree Replacement Program and Tree Mitigation and Monitoring Plan (refer to Section IV.C, Biological Resources; Mitigation Measures BIO-2a, 2b and 2c), off-site visual impacts shall be considered during the development of the designated Tree Replacement Program and Tree Mitigation and Monitoring Plan, where landscaping shall be designed by the Applicant's arborist in coordination with the County Community Development Director to buffer on-site development (i.e., residential and roadway uses), as well as to assist with screening of the light and glare of the proposed lights from off-site surrounding viewsheds. Depending on the time of day and year, the new non-deciduous trees could result in temporary shadows in the immediate downhill project vicinity as the trees and vegetation mature.
- To the extent feasible, trees and shrubs shall be selected to aid in the screening of structures from off-site. Native landscaping species shall be used in the landscaping plan. However, non-native, fast growing trees and shrubs could be used within building areas to promote interim screening.

- To the extent possible, environmental conditions shall be maintained to sustain native species. Particular attention shall be given to utilize xeric landscaping and to retain or plant native landscape buffers at key visual access points.
- A detailed landscape and irrigation plan for general subdivision and common areas anticipated to be landscaped shall be submitted for County review, prior to approval of the Final Map.

The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 1-4

The proposed project does not include sidewalks along Bel Aire Road or Ascension Drive. However, sidewalks exist on the opposite sides of Bel Aire Road and Ascension Drive from the project site.

The proposed private street (Lot “C”; refer to Figure III-12 of the DEIR) would provide one access point for both ingress and egress at the northwestern end of the property via Bel Aire Road. On-site circulation along this street would consist of a closed loop system, with the majority of the proposed 25 lots situated on either side of this street.

Per Figure III-14 of the DEIR, the Lot “C” private street system would consist of a 50-foot wide right-of-way throughout. The majority of associated street segments would have the following characteristics: a 32-foot wide paved street surface with curbs and gutters where appropriate; 5.6-foot sidewalks along each side of the street; and curbside parking available. Conversely, a section of the private street system located within the eastern portion of the site, near the water tank parcel and Lots 7 and 17, would include a 22-foot wide street surface from curb-to-curb, with gutters where appropriate. No parking or sidewalk would be developed along this segment of the street. The street grades within the system would range from 11 to 20 percent, with surface slopes of approximately 2 percent. Street sections with greater than 15 percent grade would consist of concrete, while all other sections would include asphalt.

Response 1-5

Figure VI-3, 15-Lot Alternative, on page VI-27 of the DEIR illustrates the 15-Lot Alternative, and an emergency access road would not be required under this alternative.

Response 1-6

Refer to Response to Comment 1-1. This comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR.

Response 1-7

This comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR.

July 6, 2009

James A. Castaneda, Project Planner

City of San Mateo, Planning and Building Dept.

Dear Mr. Castaneda,

I am writing you to express my wish that your department not allow any building to take place on the vacant parcel known as The Ascension Heights subdivision.

Our neighborhood cannot sustain the increased traffic or drain on our precious resources such as water and electricity.

I purchased a home here because of the peace and quiet and would like it to remain that way. I will seriously consider moving from this area, if the county allows this project to proceed.

Thank you for taking the time to consider my opinion.

2-1



Wendy Woodard
1367 Parrott Drive
San Mateo, Ca. 94402

Response to Comment Letter 2**Wendy Woodard**Response 2-1

This commenter expresses an opinion about the project but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. Refer to Topical Response 3, Standards for Responses to Comments and Focus of Review of Commenters. Refer to Section IV.I, Transportation/Traffic, for an analysis of the project's traffic impacts and to Section IV.J.2, Water, for an analysis of the project's impacts related to water.

James Castaneda - Ascension Heights Subdivision

From: "m g" <marvingin@yahoo.com>
To: <jcastaneda@co.sanmateo.ca.us>
Date: 7/24/2009 10:08
Subject: Ascension Heights Subdivision

County of San Mateo, Planning and Building Department
 Attn: James A. Castaneda, Project Planner
 455 County Center, 2nd Floor
 Redwood City, CA 94063-1662

Dear Mr. Castaneda,

I reject the Ascension Heights Subdivision project. I am concern that the Ascension Heights Subdivision project will cause health issues with my 1 year old son. My wife is also pregnant with our second child and I plan to have one more after that. I don't need big trucks running through Parrott Drive all day long. I don't need dust blow toward my house where my son is outside playing and I don't need my wife to breathe all that dirty air. It's going to cause asthma and god knows what else.

3-1

It is already known that traffic on Parrott Drive is already too busy. Car's going too fast, children are not able to take walks on the side walk, elderly person's used Parrott Drive as daily walking path for their daily exercises, owner of pet owner's will not be able to walk their dogs. With the health hazards from the Ascension Heights Subdivision project everyone that lives and pay property tax in this area will be affected. Trucks carrying loads of dirt and the dust being kick up will take away from children being able to play outside, elderly people will not be able to take their walks, and pets will also lose enjoyment from this project.

3-2

The area is already over build and can not tolerated anymore new housing. I say no to the Ascension Heights Subdivision project. The area should be kept as open space. I'm going to sue the County of San Mateo if anything happen to my son, wife and my unborn baby. I pay property tax within this county and I'm telling you that I don't need someone building 25 houses and taking tons of dirt off the mountain with in eye shot of my house.

3-3

Thank you for your time and understanding,

Marvin Gin
 1459 Parrott Drive
 San Mateo, CA 94402
 650.638.1908

Response to Comment Letter 3

Marvin Gin

Response 3-1

Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction. Also, refer to Topical Response 7, Construction Traffic Impacts.

Response 3-2

Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction. Also, refer to Topical Response 7, Construction Traffic Impacts.

Response 3-3

This comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project. Refer to Topical Response 3, Standards for Responses to Comments and Focus of Review of Commenters.

July 30, 2009

County of San Mateo, Planning & Building Department

Attn: James Castaneda, Project Planner

455 County Centers, 2nd Floor

Redwood City, CA. 94063-1662

RE: San Mateo Co. 6/25/09 Notice of Availability of Draft Environmental Impact Report:
Ascension Heights plan for 25-lot subdivision.

Dear Mr. Castaneda,

I have lived on in the 1400 block of Bel Aire Rd since 1970. I'm writing about DEIR that addresses the Impact TRANS-6: Construction Impacts on Bel Aire Rd. traffic. An estimated 69 round trip heavy haul trucks (138 trips) daily for soil removal & grading Monday thru Friday during the non-rainy season. The 2008 estimated total truck trips is 3, 036 round trips to complete the project ~ by 2013. This is only one important item of many concerns.

As Bel Aire Road residents, we will face a "significant and unavoidable daily traffic impact" during the four year construction, and in 2013 an additional estimated 240+ vehicles and 70 residents. Section IV.I Transportation /Traffic of the report mentions "this project can overlap with other projects" e.g., the Crystal Springs Bypass Tunnel and CSM improvements. It is possible that heavy trucks required to import and /or export materials to the related project sites could use roads to be used by the soil haul trucks for the proposed projects." As I understand this, then all of the trucks for Tunnel, Ascension project & CSM could use Bel Aire Road and Laurie Lane. This would be a nightmare, and prevent us from driving out of our driveways or even being in our yards or opening windows with the constant dirt, noise, and air pollution: elevated lead & carbon monoxide. What will happen during very warm days or heat waves/ Spare the Air days? We'll be exposed to additional pollution, noise and grime. We won't be able to open our windows! Bel Aire Rd. will be an unhealthy dust bowl. We will be blocked from Polhemus Rd. and predictably, the alternate, Parrot Dr. to Hwy.92 will be gridlocked.

4-1

I called Mr. James Castaneda @ SMC Planning & Building Dept SMC to verify that the Traffic analysis for Bel Aire was limited to (Tuesday) 5/20/08 x 24 hours only. This does not give an accurate data for the weekly traffic volume on this block of Bel Aire Rd. Since 1972 Bel Aire is the main shortcut for CSM traffic to Parrot from north & south Hwy. 92 from Polhemus Rd. or DeAnza Blvd. On Monday, Wednesday, Thursday and Friday there is heavy CSM traffic including late morning, afternoon and evening classes. CSM now has 11,000 students registered each semester. While some may attend on-line, the reality is the Bel Aire/CSM traffic significantly increases during CSM classes late August until the spring sessions end in June and will only increase in volume each year.

4-2

We are asking and deserve an accurate, fair and more extensive traffic analysis from SMC for a five day period of 24 hours from Monday thru Friday during CSM's fall or winter class schedule, (omitting scheduled recess, holiday and weekends.) The current draft analysis of actual traffic volume data for Bel Aire is very limited and greatly minimizes the true impact on the 1400 block of Bel Aire.

The planned access road to and from the Subdivision leads directly onto the 1400 block of Bel Aire, this will create more hazardous traffic congestion at the blind curved, and inclined, section of Bel Aire Road. This will further impede current residents from safely entering/exiting our driveways. Currently, drivers speed and even pass cars on this block of Bel Aire, crossing over the center divide. This plan will adversely affect an already dangerous stretch of road for residents and drivers.

4-3

I appreciate your assurance on July 30 when I called ^{that} all written comments from affected residents will be carefully reviewed. Thanks for your work and time to consider my valid concerns for my home and immediate neighborhood. I recognize that this project has required much work by you and CSM staff.

4-4

Sincerely,



Ms. Geraldine Roach
Parcel No. 041-222-050
1456 Bel Aire Rd.
San Mateo, CA. 04402

Response to Comment Letter 4
Geraldine RoachResponse 4-1

Regarding comments about the project creating dust, traffic and noise, refer to: Topical Response 1, Air Quality Impacts and Health Risk During Construction; Topical Response 7, Construction Traffic Impacts; and Topical Response 8, Construction and Operational Noise Impacts, respectively. While it is possible that trucks associated with other construction projects in the area could use roads near the project site, such as Bel Aire Road and Laurie Lane, it is anticipated that trucks hauling soil from other construction sites would use other roads that provide a more direct connection to Highway 92, such as Polhemus Road, Parrott Drive, Hillsdale Boulevard and De Anza Boulevard.

The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 4-2

Refer to Section IV.I, Transportation/Traffic, of the DEIR for an analysis of the project's operational traffic impacts which were all found to be less than significant with the exception of road widths and road grades which were found to be *significant* but can be reduced to less-than-significant levels via implementation of Mitigation Measures TRANS-3 and TRANS-4 on pages IV.I-23 and IV.I-24 of the DEIR, respectively.

The traffic analysis was performed through the use of established traffic engineering techniques and in accordance with the standards and methodologies set forth by the County for traffic studies. The data required for the analysis was obtained from new 24-hour daily traffic counts, previous traffic studies (including numbers recorded in 2003), the City/County Association of Governments (C/CAG) Travel Demand Forecasting Model and the Traffic Infusion on Residential Environments (TIRE) index.

Since the proposed project would add less than 100 peak hour trips to regional roads, no analysis under the Congestion Management Program (CMP) is required. Additionally, the CMP guidelines specify that a project must implement travel demand management (TDM) measures if the project produces 100 or more new peak hour trips on CMP roadways. Further, the analysis of project traffic on CMP roadway facilities indicates that the proposed project would add approximately 19 trips to State Route 92 (SR 92) during the AM peak hour and approximately 25 trips during the PM peak hour. Therefore this project is not required to implement any TDM measures.

Traffic conditions on local roadway segments were analyzed for 24-hours and for the weekday AM and PM peak hours of traffic. The AM peak hour of traffic is generally between 7:00 and 9:00 AM, and the PM during these periods that the most congested traffic conditions occur on an average day. The roadway segments impacts were analyzed by comparing the volume to capacity (V/C) ratios.

The project would generate approximately 239 vehicle trips. Project conditions were defined as background conditions (2008) with the addition of traffic generated by the proposed project at 4.5 - 5 year build-out (2013). The Near-Term (2013) project traffic volumes are shown in Figure IV.I-4 of the DEIR. Traffic conditions at the study roadway segments were evaluated using V/C. The roadway segments V/C for the Near-Term (2013) project conditions are summarized in Table IV.I-4 of the DEIR. The results show that traffic increase on the all study roadway segments would be less than significant, as the increase would not exceed the capacity of the particular roadway segment. Therefore, no mitigation measures are required.

Response 4-3

Refer to Section IV.I, Transportation/Traffic, of the DEIR for an analysis of the project's operational traffic impacts which were all found to be less than significant with the exception of road widths and road grades which were found to be **significant** but can be reduced to less-than-significant levels via implementation of Mitigation Measures TRANS-3 and TRANS-4 on pages IV.I-23 and IV.I-24 of the DEIR, respectively.

Response 4-4

This comment provides a closing statement but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

August 2,2009

**County of San Mateo,Planning and Building Department
Attn:James A. Castaneda,Project Planner
455 County Center,2nd Floor
Redwood City,Ca. 94063-1662**

Dear Mr. Castaneda:

It has come to my attention that the access to the Ascension Heights project will be directly across from my residence. The traffic per day will be constant and dangerous. Bel Aire Road is already a high traffic street due to the proximity of the College of San Mateo. Students travel this street constantly when the college is in session.

5-1

I understand a traffic study has been done but for only one 5 hour period when the college was not in session. It is mandatory that a full five day, eight hour study be done when the college is in session.

The constant barrage of heavy equipment is extremely dangerous at the access site proposed due to the blind curve at the intersection of Bel Aire Road and Laurie Lane. The rejected access at the intersection of Ascension and Bel Aire Road is a much safer alternative as the area has clear view and is wider and unobstructed. The other access, which may not be feasible would be to clear a road from the west end of CSM Drive just above the cul de sac at the south end of the hill to the water tank.My driveway is just at the crest of the hill and opposite the access to the water tank. All the equipment will compound an already dangerous situation. I am self employed and in and out of the driveway all day,6 days a week. It should be noted that I own the easement lots directly across the street. The county, years ago, purchased the right to use the drive to

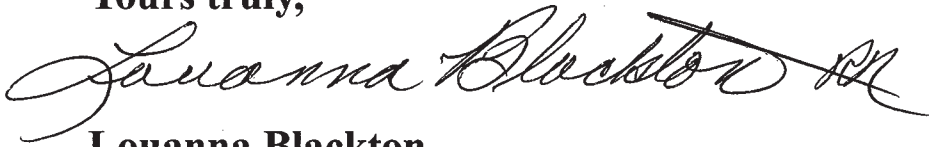
5-2



the water tank for access to the tank and for the surveyors' use only. The health and safety of my family are in jeopardy. I have severe allergy to dust as does my toddler grandson who lives with me. I feel that my residence will bear the brunt of all the negative activity. I do not allow off road parking (cars or equipment) on the proximal lot. This area is reserved for my vehicles and those of my friends only.

5-2

Yours truly,

A handwritten signature in cursive script that reads "Louanna Blackton". The signature is written in dark ink and includes a stylized flourish at the end.

**Louanna Blackton
1438 Bel Aire Road
San Mateo, California 94402**

Response to Comment Letter 5

Louanna Blackton

Response 5-1

Regarding operational traffic impacts associated with the proposed project, refer to Response to Comment 4-2.

Response 5-2

Regarding the commenter's concern about heavy equipment at the site, safety, and alternative access locations to the project site, refer to Topical Response 7, Construction Traffic Impacts, and Topical Response 5, Alternatives. The commenter's recommended alternative access locations will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project. Also, refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction, regarding the commenter's concerns about health impacts associated with the project construction phase.

August 3, 2009

COUNTY OF SAN MATEO, Planning and Building Department
455 County Center, 2nd Floor
Redwood City, CA 94063-1662

Attn.: James A. Castaneda, Project Planner

Subj.: Ascension Heights Subdivision, Public Comments

Dear Mr. Castaneda:

We are very concerned about the impact this project will have on our neighborhood and to our property specifically.

6-1

During excavation and removal of material from the site there will be an unusual dust, noise and traffic impact. Our property is directly below the site on the steepest southwest side of the subdivision. We expect serious dust and noise conditions for months. My husband and I are elderly and suffer with respiration problems.

6-2

It appears the total construction work will extend over several years, and our careful selection of our property for privacy and quiet, will become totally ruined during our "golden years."

6-3

Also, the subdivision will loom over us, severely affecting our precious view, and our quiet due to the housing traffic, once the project is complete. It will also mainly cut off the traffic pattern of deer and other wildlife which has been a huge source of pleasure for us. When we bought this property, we were told nothing would be built around it.

6-4

One of our biggest concerns is potential for earth slides due to the very steep project site, especially on our side. Sliding of the hills in this area is a continuing problem. We are part of the San Mateo Oaks Homeowners Assn. where a few years ago a slide cost our Association \$ 750,000 which was divided and accessed to each property involved. Then just a few years later, another slide just below our property cost \$30,000 plus. You may be aware of the serious Rainbow Drive slide which closed the Polhemus Canyon road for an extended period of time and required very expensive renovation.

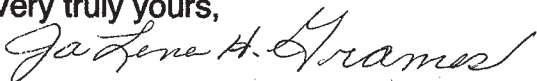
6-5

We have been unable to read the entire DEIR for the subject project, but we are certain all of our concerns have not been addressed.

6-6

We will appreciate your careful consideration of our concerns.

Very truly yours,



Ja Lene H. Grames, 140 CSM Drive, San Mateo, CA 94402

Response to Comment Letter 6**Ja Lene H. Grames**Response 6-1

This comment contains general information about the commenters and expresses an opinion about the DEIR and introduces ensuing comments, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 6-2

Regarding comments about the project creating dust, traffic and noise, refer to: Topical Response 1, Air Quality Impacts and Health Risk During Construction; Topical Response 7, Construction Traffic Impacts; and Topical Response 8, Construction and Operational Noise Impacts, respectively. Regarding operational traffic impacts, refer to Response to Comment 17-1. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 6-3

Regarding the commenter's concern about the length of the construction phase, refer to Topical Response 6, Construction Phasing and Schedule.

Response 6-4

While Section IV.A, Aesthetics, of the DEIR concluded that aesthetics impacts associated with the project would be less than significant, page IV.A-23 of the DEIR includes the following mitigation measures to further reduce the project's adverse aesthetics impacts:

Mitigation Measure AES-1

- In addition to the required site Conservation Easements, Tree Replacement Program and Tree Mitigation and Monitoring Plan (refer to Section IV.C, Biological Resources; Mitigation Measures BIO-2a, 2b and 2c), off-site visual impacts shall be considered during the development of the designated Tree Replacement Program and Tree Mitigation and Monitoring Plan, where landscaping shall be designed by the Applicant's arborist in coordination with the County Community Development Director to buffer on-site development (i.e., residential and roadway uses), as well as to assist with screening of the light and glare of the proposed lights from off-site surrounding viewsheds. Depending on the time of day and year, the new non-deciduous trees could result in temporary shadows in the immediate downhill project vicinity as the trees and vegetation mature.

- To the extent feasible, trees and shrubs shall be selected to aid in the screening of structures from off-site. Native landscaping species shall be used in the landscaping plan. However, non-native, fast growing trees and shrubs could be used within building areas to promote interim screening.
- To the extent possible, environmental conditions shall be maintained to sustain native species. Particular attention shall be given to utilize xeric landscaping and to retain or plant native landscape buffers at key visual access points.
- A detailed landscape and irrigation plan for general subdivision and common areas anticipated to be landscaped shall be submitted for County review, prior to approval of the Final Map.

Regarding the commenter's concern that the proposed project would result in noise impacts, refer to Topical Response 8, Construction and Operational Noise Impacts. Refer to Response to Comment 4-2 regarding the operational traffic impacts associated with the proposed project.

The comment also expresses concern about the impacts the proposed project may have on common wildlife species observed in the vicinity, such as deer. As discussed in Section IV.B, Biological Resources, of the DEIR, impacts to common animal species would not be considered significant pursuant to the CEQA Guidelines. Appendix G of the *CEQA Guidelines* requires that an EIR analyze impacts related to candidate, sensitive, or special-status species. The DEIR acknowledges that the project may impact special-status wildlife species, including federally endangered Mission blue butterfly, bats protected by California Department of Fish and Game (CDFG), and nesting birds and/or raptors protected by the Migratory Bird Treaty Act and California Fish and Game Code. Mitigation Measures BIO 1-a, 1-b, and 1-c outline measures to protect these species from impacts related to the proposed project. Implementation of these mitigation measures involves restricting the timing of construction activities or conducting preconstruction surveys, and if necessary, establishing nest or roost protection buffers during construction. As such, the project would result in a less-than-significant impact on special-status wildlife species.

Response 6-5

With regard to the commenter's concerns about the potential for earth slides due to the project site's steep slopes, refer to Topical Response 2, Landslides and Slope Instability.

Response 6-6

This comment provides a closing statement but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

August 3, 2009

COUNTY OF SAN MATEO, Planning and Building Department
455 County Center, 2nd Floor
Redwood City, CA 94063-1662

Attn.: James A. Castaneda, Project Planner

Subj.: Ascension Heights Subdivision, Public Comments

Dear Mr. Castaneda:

We are very concerned about the impact this project will have on our neighborhood and to our property specifically.

7-1

During excavation and removal of material from the site there will be an unusual dust, noise and traffic impact. Our property is directly below the site on the steepest southwest side of the subdivision. We expect serious dust and noise conditions for months. My wife and I are elderly and suffer with respiration problems.

7-2

It appears the total construction work will extend over several years; and our careful selection of our property for privacy and quiet, will become totally ruined during our "golden years."

7-3

Also, the subdivision will loom over us, severely affecting our precious view, and our quiet due to the housing traffic, once the project is complete. It will also mainly cut off the traffic pattern of deer and other wildlife which has been a huge source of pleasure for us. When we bought this property, we were told nothing would be built around it.

7-4

One of our biggest concerns is potential for earth slides due to the very steep project site, especially on our side. Sliding of the hills in this area is a continuing problem. We are part of the San Mateo Oaks Homeowners Assn. where a few years ago a slide cost our Association \$ 750,000 which was divided and accessed to each property involved. Then just a few years later, another slide just below our property cost \$30,000 plus. You may be aware of the serious Rainbow Drive slide which closed the Polhemus Canyon road for an extended period of time and required very expensive renovation.

7-5

We have been unable to read the entire DEIR for the subject project, but we are certain all of our concerns have not been addressed.

7-6

We will appreciate your careful consideration of our concerns.

Very truly yours,



Lloyd M. Grames, 140 CSM Drive, San Mateo, CA 94402

Response to Comment Letter 7
Lloyd M. Grames

Response 7-1

Refer to Response to Comment 6-1.

Response 7-2

Refer to Response to Comment 6-2.

Response 7-3

Refer to Response to Comment 6-3.

Response 7-4

Refer to Response to Comment 6-4.

Response 7-5

Refer to Response to Comment 6-5.

Response 7-6

Refer to Response to Comment 6-6.

August 4, 2009

COUNTY OF SAN Mateo, Planning and Building Department
455 County Center, 2nd Floor
Redwood City, CA 94063-1662

Attn: James A Castaneda, Project Planner

Re: Ascension Heights Subdivision, Public Comments

Dear Mr. Castaneda:

I am very concerned about the impact the Ascension Heights Subdivision project will have on my neighborhood and specifically to my property.

Dust and traffic noise will be a serious problem for months while the excavation takes place. Heavy trucks will haul hundreds of truckloads of soil that will expose the neighborhood to constant noise, dust and diesel pollutants.

Construction work and the eventual subdivision will have a huge effect on the wildlife habitat the hill provides. We have families of quail and deer. We have garter, gopher and rattle snakes. We have owls. There are many other species of wildlife too numerous to mention.

Our biggest concern is the potential for earth slides due to the very steep project site. Sliding of the hills in this area is a continuing problem. Our homeowners association, San Mateo Oaks, had a slide that cost our Association \$750,000 which was divided and accessed to each San Mateo Oaks homeowner. A few years later, another slide cost \$30,000 or more. The Rainbow Drive slide closed the Polhemus Canyon road for an extended period of time and required very expensive renovation.. We are concerned that our side of the hill will become unstable due to the construction of this Ascension Heights Subdivision. Who will be responsible for the damages that may occur from disrupting the stability of the hillside above our homes? We have lived in our home since 1977 and have enjoyed a beautiful hillside with lots of wildlife. This project threatens wildlife, stability of a huge hillside and the tranquility of a neighborhood that we have cherished for many years.

Please consider the concerns of our letter.

Sincerely,

Stephen Mikulic *Barbare Mikulic*

Dr. and Mrs. Stephen Mikulic, 132 CSM Drive, San Mateo, CA 94402 650-574-1923
mikulic@sbcglobal.net

RECEIVED
2009 AUG -5 A 11: 24
SAN MATEO COUNTY
PLANNING DIVISION
8-1
8-2
8-3
8-4

Response to Comment Letter 8
Stephen and Barbara MikulicResponse 8-1

This comment contains general information about the commenters and expresses an opinion about the DEIR and introduces ensuing comments, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 8-2

Regarding comments about the project creating dust, traffic and noise, refer to: Topical Response 1, Air Quality Impacts and Health Risk During Construction; Topical Response 7, Construction Traffic Impacts; and Topical Response 8, Construction and Operational Noise Impacts, respectively. Regarding operational traffic impacts, refer to Response to Comment 17-1. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 8-3

This comment expresses concern about the impacts the proposed project may have on common wildlife species observed in the vicinity, such as quail, deer, snakes, and owls. The analyses in the DEIR do not disagree that these wildlife species use the project site; however, impacts to common animal species would not be considered significant pursuant to the CEQA Guidelines. Appendix G of the *CEQA Guidelines* requires that an EIR analyze impacts related to candidate, sensitive, or special-status species. The DEIR acknowledges that the project may impact special-status wildlife species, including federally endangered Mission blue butterfly, bats protected by California Department of Fish and Game (CDFG), and nesting birds and/or raptors protected by the Migratory Bird Treaty Act and California Fish and Game Code. Mitigation Measures BIO 1-a, 1-b, and 1-c outline measures to protect these species from impacts related to the proposed project. Implementation of these mitigation measures involves restricting the timing of construction activities or conducting preconstruction surveys, and if necessary, establishing nest or roost protection buffers during construction. As such, the project would result in a less-than-significant impact on special-status wildlife species.

Response 8-4

With regard to the commenter's concerns about the potential for earth slides due to the project site's steep slopes, refer to Topical Response 2, Landslides and Slope Instability. Regarding the commenter's concerns about project impacts to wildlife, refer to Response to Comment 8-3. Regarding comments about the project affecting the tranquility of the neighborhood, refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction; Topical Response 7, Construction Traffic Impacts; and Topical Response 8, Construction and Operational Noise Impacts, respectively. Regarding operational traffic impacts, refer to Response to Comment 17-1.

Aug. 5, 2009

To whom it may concern

We are current residents of 1435 Enchanted Way in San Mateo. We are very concerned about the plans to move ahead with the large Ascension Heights Subdivision.

9-1

We feel that the completed project would destroy the existing open land, increase the risk of land erosion by carving into that hillside, disrupt much or all of the natural wildlife that we currently are able to experience (ie, coyotes, hawks, deer, skunks, bobcats, and squirrels). The end result would provide limited housing at a time in which the housing market is impaired. The thought of destroying all of the natural resources and may result in unoccupied housing would be horrific!

9-2

The reason many of us live in the county is that it provides quiet, open spaces and a snapshot of a natural, less inhabited environment. If this project is allowed to move forward, the entire community is at risk. The day to day serenity for the next four years would be lost and may not be regained upon completion with the extra

9-3



traffic of inhabitants!

SAN MATEO COUNTY
PLANNING DIVISION

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9-3

As residents of this community,
I am hopeful that you will
think long term and continue
to provide us with the peaceful
community that drew us to
live here!! Please consider
putting a stop to this
building plan that will impact
each and everyone of us in
the community — make a decision
on this in good conscience!!

9-4

Concerned resident,
Signed Linda & Gary O'bony

Response to Comment Letter 9**Linda and Gary Ottobury**Response 9-1

This comment contains general information about the commenters and expresses an opinion about the DEIR and introduces ensuing comments, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. This comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 9-2

Refer to Topical Response 2, Landslides and Slope Instability, and Topical Response 9, Erosion Impacts, regarding the comment about the project increasing the risk of land erosion. Regarding wildlife impacts from the proposed project, refer to Response to Comment 8-3.

Response 9-3

Refer to Topical Response 8, Construction and Operational Noise Impacts, regarding the commenter's concern about the day to day serenity of the project area being lost due to the project. Regarding the comment pertaining to the construction length of the project, refer to Topical Response 6, Construction Phasing and Schedule. Regarding traffic impacts, refer to Topical Response 7, Construction Traffic Impacts, and to Response to Comment 17-1.

Response 9-4

This comment provides a closing statement but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

DEPARTMENT OF TRANSPORTATION

111 GRAND AVENUE
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 622-5491
FAX (510) 286-5559
TTY 711



*Flex your power!
Be energy efficient!*

August 6, 2009

SM092150
SM-092-R9.38
SCH 2003102061

Mr. James Castaneda
County of San Mateo
Planning and Building Division
455 County Center
Redwood City, CA 94063

Dear Mr. Castaneda:

**ASCENSION HEIGHTS SUBDIVISION – DRAFT ENVIRONMENTAL IMPACT
REPORT AND TECHNICAL APPENDICES**

Thank you for including the California Department of Transportation (Department) in the environmental review for the Ascension Heights Subdivision project. The following comments are based on the Draft Environmental Impact Report and Technical Appendices. As the lead agency, the County of San Mateo is responsible for all project mitigation, including any needed improvements to state highways. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures. This information should also be presented in the Mitigation Monitoring and Reporting Plan (MMRP). The MMRP is an integral and required component of the environmental document and should be submitted with the updated Traffic Impact Study (TIS) discussed below. Required roadway improvements should be completed prior to issuance of the Certificate of Occupancy.

10-1

Highway Operations

1. The TIS needs to detail whether the capacity for the arterials, collectors, and residential streets is for all lanes or per directional lane. Also, include posted or free-flow speed for each roadway facility.
2. The TIS should discuss the project impacts on State Route (SR) 92 interchanges and ramps at Polhemus Road, De Anza Boulevard, and Hillsdale Boulevard.
3. Accordingly, provide traffic intersection studies for the following intersections: Polhemus Road/Ascension Drive. Ascension Drive/Bel Aire Road, Parrot Drive/College of San Mateo Drive, Hillsdale Boulevard/College of San Mateo Drive, and De Anza Boulevard/Los Altos Drive.
4. Provide geometric plans showing traffic access to the project from Bel Aire Road and Ascension Drive. Plans should clearly show traffic turning movements, number of lanes,

10-2

10-3

10-4

10-5

and volumes. Discuss traffic control, traffic conditions, and level of service (LOS) for these intersections.

10-5

5. The summarized traffic results shown in all the tables should be based on the LOS of the facilities in addition to the Volume/Capacity (V/C) ratio. Please modify.

10-6

Traffic Impact Fees

Please identify traffic impact fees. Development plans should require traffic impact fees based on projected traffic and/or based on associated cost estimates for public transportation facilities necessitated by development. Please refer to the California Office of Planning and Research (OPR) *2003 General Plan Guidelines*, page 163, which can be accessed on-line at the following website: <http://www.opr.ca.gov/index.php?a=planning/gpg.html>

Scheduling and costs associated with planned improvements on Departmental ROW should be listed, in addition to identifying viable funding sources correlated to the pace of improvements for roadway improvements, if any. Please refer to the state OPR's *2003 General Plan Guidelines*, page 106.

10-7

Please feel free to call or email Sandra Finegan of my staff at (510) 622-1644 or sandra_finegan@dot.ca.gov with any questions regarding this letter.

Sincerely,



LISA CARBONI
District Branch Chief
Local Development – Intergovernmental Review

c: State Clearinghouse

Response to Comment Letter 10**Department of Transportation, Lisa Carboni**Response 10-1

This comment confirms that the California Department of Transportation (Caltrans) has reviewed the DEIR and introduces ensuing comments. This comment refers to Caltrans approval process. The project, if approved, shall comply with all applicable local, state and federal regulations, which would include those of the Caltrans if required.

Refer to Section IV.I, Transportation/Traffic, of the DEIR for an analysis of the project's operational traffic impacts which were all found to be less than significant with the exception of road widths and road grades which were found to be *significant* but can be reduced to less-than-significant levels via implementation of Mitigation Measures TRANS-3 and TRANS-4 on pages IV.I-23 and IV.I-24 of the DEIR, respectively.

The traffic analysis was performed through the use of established traffic engineering techniques and in accordance with the standards and methodologies set forth by the County for traffic studies. The data required for the analysis was obtained from new 24-hour daily traffic counts, previous traffic studies (including numbers recorded in 2003), the City/County Association of Governments (C/CAG) Travel Demand Forecasting Model and the Traffic Infusion on Residential Environments (TIRE) index.

Since the proposed project would add less than 100 peak hour trips to regional roads, no analysis under the Congestion Management Program (CMP) is required. Additionally, the CMP guidelines specify that a project must implement travel demand management (TDM) measures if the project produces 100 or more new peak hour trips on CMP roadways. Further, the analysis of project traffic on CMP roadway facilities indicates that the proposed project would add approximately 19 trips to State Route 92 (SR 92) during the AM peak hour and approximately 25 trips during the PM peak hour. Therefore this project is not required to implement any TDM measures.

Traffic conditions on local roadway segments were analyzed for 24-hours and for the weekday AM and PM peak hours of traffic. The AM peak hour of traffic is generally between 7:00 and 9:00 AM, and the PM during these periods that the most congested traffic conditions occur on an average day. The roadway segments impacts were analyzed by comparing the volume to capacity (V/C) ratios.

The project would generate approximately 239 vehicle trips. Project conditions were defined as background conditions (2008) with the addition of traffic generated by the proposed project at 4.5 - 5 year build-out (2013). The Near-Term (2013) project traffic volumes are shown in Figure IV.I-4 of the DEIR. Traffic conditions at the study roadway segments were evaluated using V/C. The roadway segments V/C for the Near-Term (2013) project conditions are summarized in Table IV.I-4 of the DEIR. The results show that traffic increase on the all study roadway segments would be less than significant, as the increase would not exceed the capacity of the particular roadway segment. Therefore, no mitigation measures are required.

Response 10-2

Section IV.I, Transportation/Traffic, of the DEIR is based on the following studies and associated data, which are included in Appendix I of the DEIR.

- *Traffic Analysis Report for the Proposed Thomas Subdivision Residential Development*, prepared by Hexagon Transportation Consultants, Inc. (Hexagon), March 9, 2004;
- *Update to the Traffic Analysis Report for the Proposed Thomas Subdivision Residential Development*, prepared by Hexagon, May 29, 2008; and
- *Ascension Subdivision Residential Development, Draft Traffic Analysis Report*, prepared by Hexagon, August 12, 2008.

The descriptions and capacities of roadways in the project area are described in pages IV.I-6 and IV.I-7 of the DEIR; Table IV.I-1, Existing Volume to Capacity (V/C) Ratios, on page IV.I-8 of the DEIR; and Table IV.I-2, Existing Tire Index of Roadway Segments, on page IV.I-10 of the DEIR. Speed limits in the project area range from 30 miles per hour (MPH) to 45 MPH. Refer also to Appendix I of the DEIR.

Response 10-3

Since the proposed project would add less than 100 peak hour trips to regional roads, no analysis under the Congestion Management Program (CMP) is required. Additionally, the CMP guidelines specify that a project must implement travel demand management (TDM) measures if the project produces 100 or more new peak hour trips on CMP roadways. Further, the analysis of project traffic on CMP roadway facilities indicates that the proposed project would add approximately 19 trips to State Route 92 (SR 92) during the AM peak hour and approximately 25 trips during the PM peak hour. Therefore this project is not required to implement any TDM measures.

The traffic analysis was performed through the use of established traffic engineering techniques and in accordance with the standards and methodologies set forth by the County for traffic studies. Based on consultation with the County, analysis of roadway operations was performed at the six study roadway segments listed below:

1. Polhemus Road
2. Ascension Drive
3. Bel Aire Road
4. Laurie Lane
5. Parrott Drive
6. CSM Drive

The study roadway segments were determined based on the expected travel routes to and from the project site and the estimated amount of traffic volume that could have the potential to create significant traffic

impacts on nearby roadways. Roadways with low volumes of project-related traffic were not included in this analysis.

Response 10-4

Based on consultation with the County, traffic conditions on local roadway segments were analyzed for 24-hours and for the weekday AM and PM peak hours of traffic. The AM peak hour of traffic is generally between 7:00 and 9:00 AM, and the PM during these periods that the most congested traffic conditions occur on an average day. The roadway segments impacts were analyzed by comparing the volume to capacity (V/C) ratios.

Response 10-5

The level of detail requested by the commenter is not available at this time as the roadway segments impacts were analyzed by comparing the volume to capacity (V/C) ratios. Refer to Appendix I of the DEIR for roadway volume summary tables. The project's operational traffic impacts were found to be less than significant with the exception of road widths and road grades which were found to be *significant* but can be reduced to less-than-significant levels via implementation of Mitigation Measures TRANS-3 and TRANS-4 on pages IV.I-23 and IV.I-24 of the DEIR, respectively.

Response 10-6

Based on consultation with the County, the roadway segments impacts were analyzed by comparing the volume to capacity (V/C) ratios instead of intersection level of service analysis.

Response 10-7

Refer to Section IV.I, Transportation/Traffic, of the DEIR for an analysis of the project's operational traffic impacts which were all found to be less than significant with the exception of road widths and road grades which were found to be *significant* but can be reduced to less-than-significant levels via implementation of Mitigation Measures TRANS-3 and TRANS-4 on pages IV.I-23 and IV.I-24 of the DEIR, respectively. No impact fees are required.

08/06/2009 17:08 FAX

001

FAX TO: James A. Castaneda, Project Planner
County of San Mateo
Planning and Building Dept.

FAX NO: 650-363-4849

SUBJ: Ascension Heights Subdivision

DATE: August 6, 2009

FROM: Marie O'Rourke

ADDRESS: 124 CSM Drive
San Mateo, CA 94402

Dear Mr. Castaneda:

We feel the planned Ascension Heights Subdivision will have a negative impact on our property. It is located directly above our home on CSM Drive and will create dust, dirt, noise and traffic problems during its construction.

11-1

After completion, noise and traffic conditions will continue, but our main concern is the potential for earth slides, which over the years has been common in our hilly area. The project site is very steep and construction on it will certainly make it more susceptible.

11-2

We think that construction, including excavation, could undermine the stability of the existing water tank at the top of the property. We understand the tank will remain as part of our water supply system.

11-3

These are only some of our concerns so we will appreciate your careful consideration of all the negative impacts on our existing homes. Thank you.

11-4

Very truly yours,

Marie O'Rourke

Response to Comment Letter 11**Marie O'Rourke**Response 11-1

Regarding comments about the project creating dust, traffic and noise, refer to: Topical Response 1, Air Quality Impacts and Health Risk During Construction; Topical Response 7, Construction Traffic Impacts; and Topical Response 8, Construction and Operational Noise Impacts, respectively. Regarding operational traffic impacts, refer to Response to Comment 17-1. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 11-2

Regarding noise and traffic impacts after construction of the project, refer to Topical Response 8, Construction and Operational Noise Impacts, and Response to Comment 17-1, respectively. With regard to the commenter's concerns about the potential for earth slides due to the project site's steep slopes, refer to Topical Response 2, Landslides and Slope Instability.

Response 11-3

The commenter expresses concern that the excavation and construction phases of the project could undermine the stability of the water tank at the top of the hill where the project site is located. As illustrated in Figures IV.D-3 and IV.D-4 on pages IV.D-8 and IV.D-9 of the DEIR, respectively, grading of the project site would not result in any undercutting of the supports for the water tank. Refer also to Topical Response 2, Landslides and Slope Instability.

Response 11-4

This comment provides a closing statement but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.



ARNOLD SCHWARZENEGGER
GOVERNOR

August 6, 2009

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



CYNTHIA BRYANT
DIRECTOR

James Castaneda
San Mateo County Planning and Building Division
455 County Center, 2nd Floor
Redwood City, CA 94063

Subject: Ascension Heights Subdivision Project
SCH#: 2003102061

Dear James Castaneda:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on August 5, 2009, and no state agencies submitted comments by that date. 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 call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Morgan".

Scott Morgan
Acting Director, State Clearinghouse

12-1

Response to Comment Letter 12
State Clearinghouse and Planning Unit, Scott Morgan

Response 12-1

The comment acknowledges that the State Clearinghouse submitted the DEIR to selected state agencies for review and technically is not a comment letter on the DEIR. No further response is required.

Aurelio & Loretta Pagani
16 Valley View Court
San Mateo, CA 94402

Comment Letter No. 13

Home: (650) 349-0113

Email: leo@jescomusa.com

August 10, 2009

Office of San Mateo
Planning & Building Department
Attn: James A. Castaneda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94036-1662

Re: Ascension Heights Subdivision ("Water Tank Hill") Project

Dear Mr. Castaneda,

We live at 16 Valley View Court, west of the proposed Ascension Heights Subdivision project, and have two main objections to this project and questions that require clarification as follows:

13-1

- 1) Water Table. There are many underground springs and streams in the area and speaking from personal experience, we have spent a great deal of money and effort to mitigate the problem of water intrusion into our home from underground.

What assurance do we have that this construction will not affect the underground water system?

13-2

Are those planning and funding this project taking into consideration possible reimbursement should water problems occur, reoccur or worsen due to this construction?

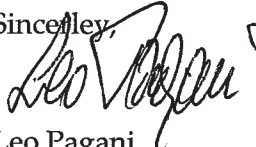
- 2) Parking & Traffic. How is this going to affect all neighboring streets and not to mention the tranquility that we have enjoyed over the decades of peaceful existence and ownership in our neighborhood?

13-3

We sincerely hope this project isn't going to look like a fortress considering it seems like there will be a need for retaining walls at every point in the landscape due to land erosion. You don't have to look far to see the Polhemus Road barrier/wall the stemming from land erosion issues on Rainbow and Starlite Drives. It would be a shame to ruin the aesthetics of our neighborhood to build homes that will likely be vacant and riddled with construction defects, a common occurrence with new construction.

13-4

Sincerely,



Leo Pagani

Response to Comment Letter 13**Leo Pagani**Response 13-1

This comment introduces ensuing comments, which are addressed in Responses 13-2 through 13-4, below.

Response 13-2

Regarding the commenter's concerns about underground springs in the project area and the potential for project construction to impact groundwater and water intrusion into the commenter's home, refer to Response to Comment 1-2.

Response 13-3

Regarding parking for the project site residents, each home on the project site would include at least two parking spaces. Refer to Section IV.I, Transportation/Traffic, of the DEIR for an analysis of the project's operational traffic impacts which were all found to be less than significant with the exception of road widths and road grades which were found to be **significant** but can be reduced to less-than-significant levels via implementation of Mitigation Measures TRANS-3 and TRANS-4 on pages IV.I-23 and IV.I-24 of the DEIR, respectively. Also, refer to Topical Response 6, Construction Phasing and Schedule, Topical Response 7, Construction Traffic Impacts. Also, refer to Topical Response 8, Construction and Operational Noise Impacts.

Response 13-4

While Section IV.A, Aesthetics, of the DEIR concluded that aesthetics impacts associated with the project would be less than significant, page IV.A-23 of the DEIR includes the following mitigation measures to further reduce the project's adverse aesthetics impacts:

Mitigation Measure AES-1

- In addition to the required site Conservation Easements, Tree Replacement Program and Tree Mitigation and Monitoring Plan (refer to Section IV.C, Biological Resources; Mitigation Measures BIO-2a, 2b and 2c), off-site visual impacts shall be considered during the development of the designated Tree Replacement Program and Tree Mitigation and Monitoring Plan, where landscaping shall be designed by the Applicant's arborist in coordination with the County Community Development Director to buffer on-site development (i.e., residential and roadway uses), as well as to assist with screening of the light and glare of the proposed lights from off-site surrounding viewsheds. Depending on the time of day and year, the new non-deciduous trees could result in temporary shadows in the immediate downhill project vicinity as the trees and vegetation mature.

- To the extent feasible, trees and shrubs shall be selected to aid in the screening of structures from off-site. Native landscaping species shall be used in the landscaping plan. However, non-native, fast growing trees and shrubs could be used within building areas to promote interim screening.
- To the extent possible, environmental conditions shall be maintained to sustain native species. Particular attention shall be given to utilize xeric landscaping and to retain or plant native landscape buffers at key visual access points.
- A detailed landscape and irrigation plan for general subdivision and common areas anticipated to be landscaped shall be submitted for County review, prior to approval of the Final Map.

The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

August 10, 2009

County of San Mateo, Planning and Building Department
 Attn: James A. Castaneda, Project Planner
 455 County Center, 2nd Floor
 Redwood City, CA 94036

RE: Proposed Ascension Height Subdivision - OPPOSE

Dear Mr. Castaneda:

As longtime residents of the unincorporated area of San Mateo County and homeowners at 1752 Parrott Drive, we strongly oppose the approval by the County of the Ascension Height Subdivision. We have read the Draft Environmental Impact Report released by the County on June 22 and have a number of serious concerns about this project, which we will outline in this letter. We also plan to attend the September 9 public meeting of the County of San Mateo Planning Commission to register our concerns. Our concerns fall in to three main categories: unstable geology, inappropriate land use planning and county finances.

14-1

1. Unstable Geology: We personally know this area well as we walk along Ascension Drive and Bell Aire Road almost every day. The proposed site has an average steepness of 40% according to the DEIR, which will require extensive grading and constructing several large retaining walls. We hope you are aware that over the years there have been several major landslides near the site. There was a major slide above Ascension Drive that required the construction of a very large retaining wall to shore up that hillside. Northwest of the site there was a major hillside slide above Polhemus Road (near Rainbow Drive and Starlite Drive) that required an absolutely enormous retaining wall to be built. As pointed out in the DEIR, the southern slope of this parcel has eroded significantly over the years. The site has many eroded gullies spread across it. Preparing the site for development would require extensive grading – 131,480 cubic yards of earth will be graded and 60,520 cubic yard may have to be removed from the site. The hill is sandstone and even with the proposed construction of retaining walls, once sandstone is exposed to the environment it erodes very quickly. Of all the sites available for housing in San Mateo County, why would the Planning Commission approve 25 lots on this site with such unstable geology? Furthermore, the DEIR makes a number of questionable assumptions about the impact of major earthquake activity along the nearby San Andreas Fault, concluding that this would not be a problem for either the site or the homes on the site.

14-2

2. Inappropriate Land Use Planning: San Mateo County clearly needs more affordable housing. One of the primary goals of the County's Vision 2010 and Vision 2025 project was to

14-3



build additional affordable housing. However, approving high end housing units that is not close to major transit routes or the urban core violates several of the major goals of the Vision documents, which focused on promoting compact land use planning and transit oriented development. These 25 lots would continue the prior suburban model of planning that is not included in the County's goals.

Vision 2010 Place Goals (approved by the County Board of Supervisors in 1999)

Offer a full range of housing choices.

- Housing exists for people at all income levels and for all generations of families.

Redesign our urban environment to increase vitality, expand variety and reduce congestion.

- Public transportation choices are convenient, affordable, accessible and safe.
- New housing is clustered with jobs and commercial services along transportation corridors.
- Land use decisions consider transportation and other infrastructure needs as well as impacts on the environment and on surrounding communities.

http://www.co.sanmateo.ca.us/bos.dir/visioning/sv_2010_report5.pdf

Vision 2025 Goals (approved by the County's Board of Supervisors in 2009)

- **Livable:** Our growth occurs near transit, promotes affordable, livable connected communities. <http://www.co.sanmateo.ca.us/bos.dir/budget/recommend2009/A-17.pdf>

3. County Finances: Current Fiscal Incentives Promote Sprawl At a time when county finances are very constrained, the addition of more housing units in the county not close to jobs and transportation will require additional county services but not generate enough property tax revenue due to Prop 13 limitations to pay for those services. Current fiscal incentives promote sprawl and do not seem like a wise land use choice. Even with high end housing, the service/revenue ratio from additional housing does not work. For example, the following are observations from the Speaker's Commission on State/Local Finance, which can be found at: <http://speaker.metroforum.org/report/report.pdf>

- **Current Fiscal Rules Give the Wrong Land Use Planning Incentives**

Local governments have a fiscal incentive to add major sales tax generating activities and often have a fiscal disincentive to add housing. Fiscal disincentives for housing can reduce a region's housing production or make housing more expensive, as cities place high fees on new housing to make up for lagging revenues from other sources. "Today, however, land use planning no longer creates a healthy balance in California's communities. All too often, communities are forced to make land use planning decisions based entirely on budget decisions. The question of how to create healthy, balanced communities has become secondary to the immediate need to balance the budget." --

14-3

14-4

Restoring the Balance: Managing Fiscal Issues and Land Use Planning Decisions in California Planning Roundtable

- **High development fees are a feature of California's post-Proposition 13 local government finance system.** These fees, designed to help revenue-starved communities finance infrastructure and public services; add substantially to the cost of new housing. "Our analysis shows that the fees imposed on new construction are significant, typically falling in the range of \$20,000 to \$30,000 per development. In one community, the fees and assessments totaled 19 percent of the mean sales price." --Who Pays for Development Fees and Exactions Marla Dresch and Steen M. Sheffrin Public Policy Institute of California
- **These fees may encourage sprawl** by leading residents further out into rural areas to find cheaper housing - even though all evidence suggests that residents want to live near their jobs if available housing is close to their price range. "The environment is a big loser in the state's dysfunctional local government fiscal rules. Local communities are forced to focus land use planning on raising revenue through sales taxes. California needs fiscal incentives to reduce sprawl." --Mary Nichols, Now the Executive Director of the California Air Resources Board.

14-4

The bottom line is that these 25 units of housing would not only promote inappropriate land use on unstable geology, the price of the housing units after development fees, as a result of the limitations on property tax due to Prop 13, means that these homes will not be affordable and the county will have to pay for their additional public services and infrastructure. The clear alternative is to approve other housing projects, located in compact and transit-oriented development locations, instead of this proposed project.

14-5

Sincerely,

Doug Henton and Carol Henton
1752 Parrott Drive
San Mateo, CA 94402
650 571-7563

cc: Supervisor Carole Groom, Supervisor Rich Gordon, Supervisor Rose Gibbons,
Supervisor Mark Church, and Supervisor Andrienne Tissier

SAN MATEO COUNTY
PLANNING DIVISION

2009 AUG 20 P 4: 26

RECEIVED

Response to Comment Letter 14
Doug and Carol Henton

Response 14-1

This comment introduces ensuing comments, which are addressed in Responses 14-2 through 14-5, below.

Response 14-2

Regarding the commenter's concern about landslides near the project site, refer to Topical Response 2, Landslides and Slope Instability. Regarding the commenter's concerns about seismic impacts, pages IV.D-20 and IV.D-21 of the DEIR include the following discussion:

Impact GEO-1 Strong Seismic Ground Shaking

The project site is located in a seismically active region, and development of the proposed project would expose future users to seismic ground shaking. During the service life of the proposed project, the site is likely to experience at least one moderate to severe earthquake that could produce potentially damaging ground shaking. The probabilistic seismic hazard analysis from the CGS estimates a peak horizontal ground acceleration at the site having a 10 percent probability of exceedance in 50 years to be 0.67g. Seismic ground shaking could damage the proposed 25 homes and associated infrastructure. However, the project applicant would be required to design and construct the project in conformance to the most recently adopted CBC design parameters. The parameters shown in Table IV.D-3 for the seismic design of the project were derived from Chapter 16 of the 2007 CBC.

Table IV.D-3
CBC Seismic Design Parameters for the Project

| | |
|--|------------------|
| Maximum Considered Earthquake (MCE) S_s | $S_s = 2.18g$ |
| MCE S_1 | $S_1 = 1.23g$ |
| Site Class | Class B |
| Site Coefficient F_A | $F_A = 1.0$ |
| Site Coefficient F_V | $F_V = 1.0$ |
| MCE spectral response acceleration parameters at short period, S_{MS} | $S_{MS} = 2.18g$ |
| MCE spectral response acceleration parameters at one-second period, S_{M1} | $S_{M1} = 1.23g$ |
| Design Earthquake (DE) spectral response acceleration parameters at short period, S_{DS} | $S_{DS} = 1.45g$ |
| DE spectral response acceleration parameters at one- | $S_{D1} = 0.82g$ |

Table IV.D-3
CBC Seismic Design Parameters for the Project

| | |
|---|--|
| second period, S_{D1} | |
| <i>Source: Treadwell & Rollo, 2008.</i> | |

The CBC specifies that all proposed structures on the project site should be able to: (1) resist minor earthquakes without damage; (2) resist moderate earthquakes without structural damage but with some nonstructural damage; and (3) resist major earthquakes without collapse but with some structural as well as nonstructural damage. Conformance with the current CBC requirements would reduce the potential for structures and infrastructure on the project site to sustain damage during an earthquake event therefore, project impacts related to ground shaking would be *less than significant* and no mitigation measures are required.

Response 14-3

This comment expresses an opinion about the project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 14-4

This comment expresses an opinion about the project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 14-5

This comment expresses an opinion about the project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project. Regarding the comment about unstable geology at the project site, refer to Topical Response 2, Landslides and Slope Instability. Regarding project impacts related to public services and utilities, refer to Sections IV.H, Public Services, and IV.J, Utilities and Service Systems, of the DEIR, respectively.

August 11, 2009

County of San Mateo
Planning and Building Department
Attn: James A. Castaneda, Project Manager
455 County Center, 2nd Floor
Redwood City, CA 94063-1662

Re: Project Site – Bel Aire Road and Ascension, San Mateo, CA
041-11-130, 280, 160-270,310,360

Dear Mr. Castaneda:

Are we going to go through this again??? We thought that this project, due to previous environmental studies that the hillside could be unstable due to underground springs, had been cancelled and here you are again trying to develop an area that is totally unsuitable for additional housing. We have lived here for 20 plus years and this is the third time, to our knowledge, that this project has come up – can't this be left as open space? A park would be more appropriate. Residents of the neighborhood will be impacted by poor air quality due to dirt movement, additional traffic, which during the school year is at its maximum and to the possibility of slides. There have been slides in the area over the years and now you want to come in and add additional risk by trying again to develop this property.

15-1

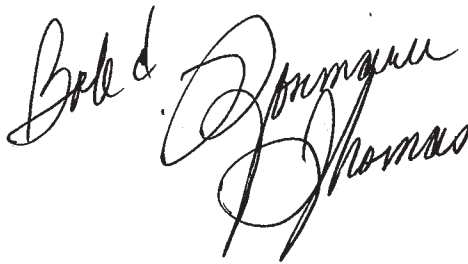
Will the developer be power washing, painting, and cleaning our homes after he moves all of this dirt? Will he be setting traps to stop rodents and other natural animals from invading our property? I don't think so. Will the developer pay for the damage incurred by the residents if slides should occur? I don't think so – he will walk away and leave us all to deal with the mess.

15-2

Another point is the current housing market. Look around – there are developments with homes standing vacant – there are homes for sale that have not sold – and this group wants to add an additional 25 to the list – the last time it was 36. What does this tell you – do not let this project go forward. The environment in this State has already been taxed by pollution and use of water that will eventually be gone – we are supposed to protect the environment not cause more damage. We are not environmentalists but it does not take a rocket scientist to see that this is totally unacceptable and that we should not be causing more strain on what we have left.

15-3

Thank you,
Concerned Citizens
Robert and Rosemarie Thomas
1480 Bel Aire Road
San Mateo, CA 94402

A handwritten signature in black ink, appearing to read "Robert and Rosemarie Thomas", is written over the typed name and address.

Response to Comment Letter 15
Robert and Rosemarie ThomasResponse 15-1

With regard to the comment that the project site could be unstable due to underground springs, refer to Topical Response 2, Landslides and Slope Instability, and Response to Comment 1-2.

With respect to the commenter's recommendation that the site be left as open space, refer to Section VI, Alternatives to the Proposed Project, of the DEIR which includes the No Project Alternative which would result in the project not being constructed and existing conditions would remain. However, as discussed in Section VI of the DEIR, this alternative would not meet the basic objectives of the project. An alternative involving a park instead of the proposed project is also not considered to be feasible because it would not meet the basic objectives of the project. Also, refer to Topical Response 5, Alternatives.

Regarding comments about the project creating dust and traffic, refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction and Topical Response 7, Construction Traffic Impacts. Regarding operational traffic impacts, refer to Response to Comment 17-1. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 15-2

Regarding the commenter's concerns about dirt from the grading and construction phase, refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction. Regarding wildlife impacts from the project, refer to Response to Comment 8-3. Finally, regarding the commenter's concerns about landslides, refer to Topical Response 2, Landslides and Slope Instability.

Response 15-3

This comment provides a closing statement but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

August 18, 2009

County of San Mateo, Planning and Building Department
Attn: James A. Castaneda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94036-1662

Dear Sir:

Our house is located at the corner of Laurie Lane and Bel Aire Road. Obviously, we are extremely concerned about the traffic, pollution, dirt and noise that the "Water Tank Hill" project will bring to our otherwise clean and quiet neighborhood.

16-1

Approving this project will most certainly endanger our family's health and safety, not to mention our house, and the plants and trees in our property. Multiply this by the families and properties in the area that will all be affected.

16-2

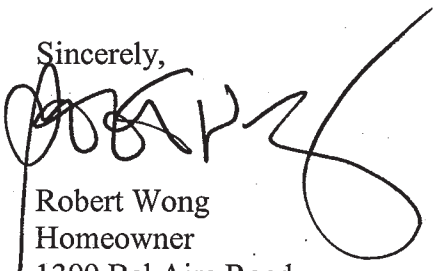
Even without this project, we already experience a lot of noise and pollution caused by people who don't live in the area. Students attending College of San Mateo frequently speed through Bel Aire Road and Laurie Lane while using it as a shortcut, dumping garbage along the way. Can you imagine how much garbage there will be with all these trucks driving through especially during the grading period?

16-3

We respectfully urge you to consider this and reject this project as unfair to the current residents of the area affected.

16-4

Sincerely,


Robert Wong
Homeowner
1399 Bel Aire Road
San Mateo, CA 94402

Response to Comment Letter 16**Robert Wong**Response 16-1

This comment contains general information on the commenter and introduces ensuing comments. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. Refer to Section IV.I, Transportation/Traffic, of the DEIR for an analysis of the project's traffic impacts, and to Section IV.G, Noise, of the DEIR for an analysis of the project's noise impacts. Regarding the commenter's concern about pollution and dust, refer to Section IV.B, Air Quality, of the DEIR and Topical Response 1, Air Quality Impacts and Health Risk During Construction.

Response 16-2

This comment expresses the opinion about the proposed project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. Refer to Topical Response 3, Standards for Responses to Comments and Focus of Review of Commenters. Also, refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction, and Topical Response 7, Construction Traffic Impacts.

Response 16-3

The comment identifies existing problems in the project area related to noise, pollution, cut-through traffic and speeding, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The last sentence of the comment addresses the possible increase in garbage in the area due to project truck trips. Impacts resulting from illegal activities (i.e., littering, speeding) are outside the scope of CEQA and the DEIR. Refer to Topical Response 3, Standards for Responses to Comments and Focus of Review of Commenters.

Response 16-4

This comment expresses the opinion about the proposed project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. No further response is required.

County of San Mateo, Planning and Building Department
Attn: James A. Castaneda, Project Planner
455 County Center, 2nd Floor
Redwood City, Ca 94036-1662

Aug. 19, 2009

Strickley Family
1399 Parrott Dr.
San Mateo, CA 94402

Re: Ascension Heights Subdivision Project

We are the residents at Baywood Park neighborhood. We do not want the developer to build any house at the water tank hill because the construction will cause tremendous dust, traffic congestion and noise at our neighborhood. It endangers our health and decreases the quality of our living.

According to the DEIR, the construction will last for five years. We do not want to raise our children at a dusty and noisy environment for five years. The dust and diesel pollution will cause dangerous health impact to all of us, especially our young children, age 3 and 9. One of our children had asthmatic pneumonia. His lungs are extremely sensitive to dust and diesel smells. He will be at high risk if the construction proceeds. More over, we do not want any heavy traffic at our front door for five years. It is almost impossible for us to get out from our drive way if the large construction vehicles coming up from Laurie lane every 90 – 120 seconds.

We are strongly to ask the building and planning department to consider all of above and to stop the water tank hill project!

17-1

Sincerely

The strickley family



Robert Strickley

Response to Comment Letter 17**Robert Strickley**Response 17-1

Regarding the comment that the project construction period would cause tremendous dust, refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction. Refer to Section IV.I, Transportation/Traffic, of the DEIR for an analysis of the project's operational traffic impacts which were all found to be less than significant with the exception of road widths and road grades which were found to be **significant** but can be reduced to less-than-significant levels via implementation of Mitigation Measures TRANS-3 and TRANS-4 on pages IV.I-23 and IV.I-24 of the DEIR, respectively. Also, refer to Topical Response 6, Construction Phasing and Schedule, Topical Response 7, Construction Traffic Impacts, and Topical Response 8, Construction and Operational Noise Impacts.

August 24, 2009

Dear Sir:

As a concerned citizen I'm writing to you today to protest the Ascension Heights Subdivision project - better known as Water Tank Hill. This project - if allowed - would entail undo pain on existing homeowners in the area.

Yours truly,
Donald P. Schoeffner

18-1

Response to Comment Letter 18

Donald R. Schoeffner

Response 18-1

This comment expresses the opinion about the proposed project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. Refer to Topical Response 3, Standards for Responses to Comments and Focus of Review of Commenters.

James A. Castaneda

San Mateo County Planner
 435 County Center
 Redwood City, CA 94063

Re: DEIR for Ascension Heights Subdivision 25 homes Project (also called water tank hill project)

1. the report did not mention about how to maintain the beauty of the neighborhood. As we all know that Baywood Park is one of the most beautiful neighborhoods in the Bay Area. We all enjoy living here because of the quality of air and the quiet environment. However, the Ascension Heights Subdivision project will destroy the beauty and the quality of the neighborhood, and endanger to our health. For the quality of our lives, we protest the 25 home project at the Ascension Heights. We do not want any construction at the water tank hill.

19-1

2. the report did not mention how to keep the dust down after the two months grading. The project will turn the neighborhood into a dust bowl and a diesel polluted cancer cluster. During the two months intensive grading, huge amount of the dirt will be removed by the heavy diesel trucks. The dust will cover the large area of the neighborhood. After the grading, the dust will continue around the neighborhood for 5 years until the construction completed. It will be horrible to live in a dust bowl for 5 years. The heavy dust will cause tremendous health damage to all residents, such as asthma, pneumonia, heart attack and other respiratory diseases. Many children and elderly are in high risk for getting sick from the dust.

19-2

3. the report did not mention how to eliminate the diesel pollution, the major pollutant that causing cancer, the benzene; and how to compensate the actual and potential cause of cancer during and after the construction. The other health concern is diesel pollutants causing cancer. During the construction period, many diesel trucks will go around the neighborhood. Especially during the two months grading period, diesel trucks will past our front door every two minutes five days a week. The diesel exhaust contains the most carcinogen, the substance causing cancer; it is called benzene. Benzene is a non specific carcinogen. It can effect all parts body. It is permeable to all cells membrane. Benzene can destroy or interrupt antigen and cause cancer. (antigen is a type of human cells to control the immature over grown daughter cells. Without antigen's proper function, these immature daughter cells will become cancer cells.) Normally, antigen takes about 14 years to be fully grown. Children who under 14 years old are highly risk on having cancer when they live in'a diesel polluted environment. We have infant, toddler and young children in the neighborhood. We do not want to raise our children in a caner cluster for five years. Our children should not grow up in a cancer risk environment.

19-3

4. the combination of traffic congestion with CSM is missing on the report. More over, the traffic congestion will increase tremendous noise and the chance of getting accidents. Monday to Friday 8 am – 4pm is the regular heavy traffic days hours

19-4



for CSM on Parrott Dr. and W. Hillsdale Blvd. Plus the construction traffic, we may have to spent half hour or the whole hour stud in the traffic jam. Incase some one has emergency during the time, the fire truck and the ambulance will not be able coming in the neighborhood to rescue the resident. Then someone may die because of the delay traffic. How can the developer pay for someone's death.


19-4

5. the report did not mention about the safety of the water tank during the grading period. Because of the intensive grading, water tank surrounding soil will become loose. It is endanger to water tank's foundation. Incase earthquick happen during the grading, the water tank may fall. It is the only water source for the whole neighborhood. We will not have water to survive when the disaster happen.

19-5

To consider all of above public safety issues, the county supervisors and planners should stop the project.

Angela, a Baywood Park resident

 Sept. 1, 2009

Response to Comment Letter 19**Angela**Response 19-1

With regard to the commenter's concern that the project would destroy the beauty and quality of the neighborhood, refer to Response to Comment 13-4. Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction regarding the commenter's concern that the project would be a health risk.

Response 19-2

With regard to the comment that the DEIR does not mention how to keep dust down during grading and that the project would represent a health risk during grading and construction, refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction. Regarding the length of the grading and construction phases, refer to Topical Response 6, Construction Phasing and Schedule.

Response 19-3

Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction.

Response 19-4

With respect to the comment that the combination of traffic with CSM is missing in the DEIR, refer to Response to Comment 4-2. Regarding the commenter's concern about traffic noise, refer to Topical Response 8, Construction and Operational Noise Impacts. Also, refer to Topical Response 7, Construction Traffic Impacts regarding the commenter's concern about traffic safety and access during the grading and construction phases.

Response 19-5

Regarding the comment that the DEIR does not mention the safety of the water tank during the grading period, refer to Response to Comment 11-3.

September 1, 2009

Planning and Building Dept
455 County Center
Redwood City, CA 94063

Dear Sir:

Re: Ascension Heights Subdivision

I am very much concerned about the stability of the steep slope just above our property; it might present serious problems after removal of trees and extensive excavation of the relative soft sandstone. As a matter of fact, land slides have already occurred in the vicinity.

20-1

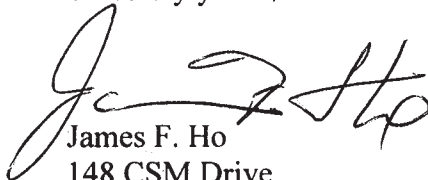
Fire prevention is another issue that should be investigated and addressed. There has been more than one instance in the past years, but fortunately no disasters were caused, but it was dreadful enough for all of the residents near the foot of the hill.

20-2

What assurance and protections may the developer provide for this quite marginal development? We need more than one independent study on these two urgent issues, before we may consent this subdivision. Thanks for your attention.

20-3

Sincerely yours,



James F. Ho
148 CSM Drive
San Mateo, CA 94402

Response to Comment Letter 20**James Ho**Response 20-1

Refer to Topical Response 2, Landslides and Slope Instability regarding the commenter's concerns about landslides.

Response 20-2

As stated on page IV.H-9 of the DEIR, according to CALFIRE, the project site is located outside of, but adjacent to, area that is classified as possibly containing substantial fire hazard risks (refer to Figure IV.H-1 of the DEIR). However, the project site is located within a Community at Risk zone according to the County's Fire Threatened Communities Map, which depicts the general risk within neighborhoods and the relative risk from community to community. Therefore, the project site can be susceptible to wildland fires.

However, as discussed on pages IV.H-17 through IV.H-19, implementation of the proposed project would transform the majority of the site's terrain by removing and replanting vegetation and trees. Manufactured slopes, a stepped-sequence of building-pads, a paved access road and EVA road would be constructed. A considerable amount of the site's existing combustible natural vegetation would be replaced with native trees and vegetation and eventually irrigated on-site landscaping, which would be maintained by the Home Owner's Association (HOA; no specific landscaping is proposed at this time; however, plans will be included at the Final Map stage). The site would also be served by a water system that meets San Mateo City Fire Department and County of San Mateo Fire Department/CALFIRE fire flow requirements for the proposed residential structures. The project applicant would implement fuel-modification and/or brush clearance on adjacent terrain as required by the San Mateo City Fire Department and County of San Mateo Fire Department/CALFIRE. Additionally, the proposed project would incorporate a number of fire safety features in accordance with applicable State and CALFIRE fire-safety codes, as well as County subdivision regulations for construction, access, fire flows, and fire hydrants.

Furthermore, exterior construction of the homes would have non-combustible finishes and class "A" roof coverings as required by local and state fire code. The building permit and/or plan approval issued for construction shall meet the intent of California Building Code (CBC) Chapter 7A (Material and Construction Methods for Exterior Wildfire Exposure). CBC §701A.3.2.2 requires the building official, prior to construction, provide the owner or applicant a "certification" that the building as proposed to be built complies with all applicable state and local building standards, including those for materials and construction methods for wildfire exposure as described in Chapter 7A. Additional on-site infrastructure and facilities would incorporate a full sprinkler fire protection system as required by the California Uniform Fire Code.

The proposed on-site water supply system would include additional underground water pipelines and water mains in order to accommodate the proposed projects water needs (i.e., residential, fire emergency services).

Per the California Fire Code, Appendix B, fire flow is determined by the largest proposed building (using square footage of all floors) in a subdivision. If no building is over 3,600 square feet, the required fire flow would be 1,000 gallons per minute (gpm) at 20 pounds per square inch (psi) residual for a minimum of 2 hours. For structures over 3,600 square feet and no more than 4,800 square feet (for a typical wood frame construction (type VB SFD)) flows increase up to 1,750 gpm; more than 4,800 square feet (to 6200 square feet), required fire flows would be 2,000 gpm. The proposed water distribution system for the project would be designed to provide applicable fire flows at all hydrants, while maintaining a minimum residual pressure, in accordance with the standard fire design criteria. Fire hydrants will also be installed on-site per the County fire code.

As discussed previously, primary and secondary roads would serve the project with one access point for both ingress and egress provided by the proposed private street (Lot “C”) at the northwestern end of the property via Bel Aire Road. An EVA road would be constructed within the southeastern portion of the site, which would connect the proposed main access road or private street loop (Lot “C”) near proposed Lot 25 to an egress point on Ascension Drive.

Handling and storage of fuels and other flammable materials during construction would conform to California Occupational Safety and Health Administration (OSHA) and local requirements, which include appropriate storage of flammable liquids and prohibition of open flames within 50 feet of flammable storage areas. Implementation of fire safe regulations per all applicable codes would be required. Furthermore, Mitigation Measures PS-2b and PS-2c would ensure that appropriate fire hazard management recommendations shall be included as project conditions of approval and that the EVA road shall be constructed at the appropriate phase and is designed to adhere to the appropriate design standards. Therefore, impacts associated with wildfire hazards would be *less than significant*.

Response 20-3

This comment provides a closing statement but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

September 2, 2009

County of San Mateo
Planning & Building Dept.
Attn: James Castaneda
455 County Center, 2nd Floor
Redwood City, CA 94036-1662

Gentlemen:

I have been a resident of San Mateo County for more than 48 years. For the past 45 years I have lived at 1944 Parrott Drive, San Mateo, CA 94402. Periodically, someone revives the plan to build multiple homes/apartments on the property currently labeled Ascension Heights Subdivision (Water Tank Hill) Project. I wish to express my opposition to this project.

21-1

The reasons it should be denied always remain the same, given again and again through the years. You have already heard a litany of objections based on the noise, air pollution, health concerns, safety, etc. Our neighborhood has many original owners of the homes built in 1953; it is an aging community which will be adversely affected by the dangers of life-threatening pollutants being released into our air over a long period of time.

21-2

Our area is known as Crystal Springs for a reason: it is permeated with underground water tables which seep out of the ground year around. My home has cracks which narrow and widen depending on the amount of rain we receive and water continually seeps out of the hillside front yard. Construction on Water Tank Hill will adversely affect the homes surrounding it as its water tables are cut through and drained.

21-3

I am also concerned with the amount of increased traffic which will impact the surrounding streets from students at CSM needing to avoid Hillsdale Boulevard due to the trucks carrying in construction supplies and taking out excess dirt over the period of several years. Do you have extra cash to continually repair our neighborhood streets during and after this construction? Parrott Drive homeowners were trapped in their driveways by bumper-to-bumper college traffic for about 3 hours each morning before Highway 92 was extended to Canada Road -- we don't want to have that again. Thank you for your consideration to these remarks.

21-4

Sincerely,

Carol McGraw

Carol McGraw

Response to Comment Letter 21**Carol McGraw**Response 21-1

This comment contains general information about the commenter and expresses an opinion about the project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 21-2

Regarding comments about the project creating dust, health hazards, traffic and noise, refer to: Topical Response 1, Air Quality Impacts and Health Risk During Construction; Topical Response 7, Construction Traffic Impacts; and Topical Response 8, Construction and Operational Noise Impacts, respectively. Also, refer to Topical Response 6, Construction Phasing and Schedule.

Response 21-3

Regarding the commenter's concerns about underground springs in the project area and the potential for water intrusion into off-site properties, refer to Response to Comment 1-2. Also, refer to Topical Response 2, Landslides and Slope Instability, and Topical Response 9, Erosion Impacts.

Response 21-4

With regard to operational traffic impacts and traffic from CSM, refer to Responses to Comments 4-2 and 17-1.

Also, regarding provisions for road repair should roadway damage occur as part of the project soil haul exporting, the last bullet under Mitigation Measure TRANS-6 on page IV.I-26 of the DEIR states:

- As a condition of the grading permit required of the project applicant by the County, the applicant shall be responsible for the repair of any damage to roads resulting from the export of soil from the project site. Such repair shall be to the satisfaction of the San Mateo County Department of Public Works.

With respect to concerns about construction traffic, refer to Topical Response 7, Construction Traffic Impacts. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

From: Gail Logan
1383 Parrott Dr.
San Mateo, CA 94402

Date: Sept. 2, 2009

To: County Planning and Building Dept.
455 County Center, 2nd. Floor
Redwood City, CA 94036-1662

Re: Ascension Hts. Sub. Div.
(Water Tank Hill)

Attn: James Castaneda, Project Planner

There are serious deficiencies in many aspects of the Option B descriptions, the alternatives, C and D, are completely lacking grading details for the entire site, as well as individual lots. There is virtually no ability for anyone to determine the relative advantages or disadvantages of Option B or any of the alternatives. This DEIR is completely inadequate in this regard and must be corrected before any final determination can be made.

In order to allow adequate comparisons between the Project Alternatives, the following information should be presented for each alternative design:

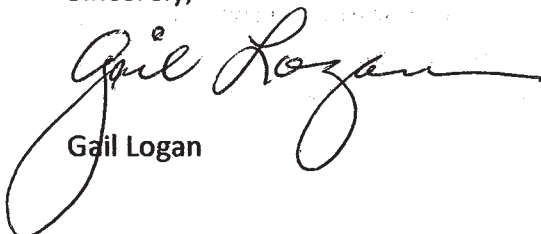
- Total required excavation and fill volumes (including probable grading required to establish viable house floor levels);
- Extent of required retaining structures (lineal feet of wall and square footage of wall face);
- Square footage of site disturbance required for grading;
- Number of truck trips and associated impacts for earth material export for full project build-out (including the quantity and duration of earth material trucking during house construction); and
- Assessment of air quality impacts.

22-1

Slopes steeper than 2:1 will have an increased potential for erosion and instability. Given that site earth materials have a high erosion potential, and that adequate vegetation cover will not be readily established on cuts exposing bedrock, we anticipate that the proposed project design will result in accelerated erosion. Necessary coordinated drainage control improvements across individual lots are not depicted on development plans. The proposed design does not appear to be consistent with County requirements to minimize erosion and sedimentation from new projects. Reduced final graded slopes should be considered from an erosion control perspective.

22-2

Sincerely,


Gail Logan

Response to Comment Letter 22**Gail Logan**Response 22-1

Section VI, Alternatives to the Proposed Project, of the DEIR provides a sufficient level of detail to allow the public, agencies, and decision makers to make an informed decision regarding how the alternatives to the proposed project could reduce or avoid some of the project's significant environmental impacts. Section VI of the DEIR provides a general description of each alternative, exhibits that illustrate the location and number of residential lots associated with each alternative, a comparison of the impacts of each alternative to the project's impacts, as well as a table that summarizes the impacts comparison (see Table VI-1, Alternatives Comparison, on pages VI-35 through VI-37 of the DEIR). While the specific grading quantities of each alternative are not provided in the DEIR, this is not a requirement of CEQA, and clearly the alternatives analysis of the DEIR provides a sufficient level of detail for one to conclude that all of the project alternatives would require less grading than the proposed project. Also, each of the alternatives analyzed in the DEIR involve fewer homes roads compared to the proposed project. The reduction in grading associated with each alternative reduces the project soil haul truck trips as well as the air quality, noise and traffic impacts associated with soil haul truck trips.

If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed.” (CEQA Guidelines Section 15126.6[d])

Also, Sections 15204(a) and 15003 reflect judicial interpretation of CEQA. Reviewers are encouraged to focus on the sufficiency of the environmental document's analysis, mitigation measures, and project alternatives. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. CEQA requires that lead agencies need only respond to significant environmental issues, and do not need to provide all information requested by reviewers, so long as a good faith effort at full disclosure is made in the EIR.

Refer to Topical Response 5, Alternatives.

Response 22-2

Regarding the commenter's concerns about the project's increased potential for erosion and instability, refer to Topical Response 2, Landslides and Slope Instability, and to Topical Response 9, Erosion Impacts.

County of San Mateo, Planning and Building Division
James A. Castañeda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94063-1662

September 3, 2009

Re: Ascension Heights Subdivision, Public Comments

Dear Mr. Castañeda,

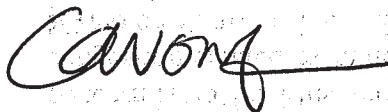
We live on Parrott Dr. with our property directly adjacent to the proposed development.

We have four kids and very concerned about the Ascension Heights Subdivision project. One of our biggest concern is the fact that thousands of truck loads of soil will be transported during the grading process. This will expose not only our family, but the entire neighborhood, to noise, dust and diesel pollutants, constantly for the first several months of the project, but then continuing on for the 4 to 5 years it will take to complete the development. Our family already suffers from respiratory health issues, which are managed, but we are concerned that the grading and construction will cause further, life-altering health problems. We will be affected from all sides—from the work on the hillside behind us to the diesel and noise pollution from the street in front of our home. We are just one family that would be affected; there are many more with children and infants whose developing respiratory systems would be affected as well. Another huge concern is traffic. Plus, the route you are proposing will go right through the traffic congestion created by hundreds of students going to and leaving the College of San Mateo on Parrott drive, CSM drive and West Hillsdale boulevard. Which will cause additional pollution, traffic jams or worse, traffic accidents.

We have looked through the DEIR, and we cannot find details of how the grading will take place. The Alternative C, which was noted as being Environmentally Superior, shows that the access road would butt up to our property, but no details are given as to how the access road will be graded/supported/constructed. The hillside currently slopes steeply down to our back yard, and we just can't imagine how the grading and construction of a road would be feasible at that location. Would we end up with an 8 ft. retaining wall on our property line?

Thank you for your understanding and taking the time to read our comments.

Sincerely,



Gary and Wendy Wong
1419 Parrott Drive

23-1

23-2

23-3

Response to Comment Letter 23**Gary and Wendy Wong**Response 23-1

Regarding comments about the project creating dust, diesel pollutants, traffic and noise, refer to: Topical Response 1, Air Quality Impacts and Health Risk During Construction; Topical Response 7, Construction Traffic Impacts; and Topical Response 8, Construction and Operational Noise Impacts, respectively. Regarding operational traffic impacts, refer to Response to Comment 17-1. Regarding the length of the construction phase, refer to Topical Response 6, Construction Phasing and Schedule.

The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 23-2

Regarding construction traffic, refer to Topical 7, Construction Traffic Impacts. Pages IV.I-25 and IV.I-26 of the DEIR describe the amount of truck trips and associated traffic impacts that would occur during the project's construction phase. These impacts were found to be ***potentially significant*** but could be reduced to less-than-significant levels with the implementation of Mitigation Measure TRANS-6 on page IV.I-26 of the DEIR. Mitigation Measure TRANS-6 includes but is not limited to the following measures to ensure that construction traffic impacts and traffic safety impacts during construction would be less than significant:

- The haul route streets shall be limited to SR 92, West Hillsdale Drive, CSM Drive, Parrott Drive, Laurie Lane, and Bel Aire Road. That would minimize the number of residential streets used by trucks. Trucks shall not utilize Ascension Drive because of the existing traffic level and the steep grade.
- Construction activity shall be limited to the hours of 8:00 AM and 4:30 PM Monday through Friday. No activity or staging shall occur outside these hours.
- To minimize impacts to traffic and public safety, truck traffic for soil export from the project site shall be limited to between the hours of 10:00 AM and 3:00 PM.
- Loaded trucks shall be limited to a maximum speed of 20 mph when operating in residential areas.
- No staging of trucks or construction equipment shall occur within the adjacent residential area at any time.

- Temporary “truck crossing” signs shall be placed in both directions on Bel Aire Road near the site entrance. Flagmen shall be used, as necessary, to control traffic during the arrival and departure of trucks and equipment.
- Construction workers shall be required to park on-site, i.e., no parking on Bel Aire Road or Ascension Drive.

The mitigation measures listed above, in addition to the availability of sidewalks on the opposite sides of Bel Aire Road and Ascension Drive from the project site, would ensure that traffic safety impacts would not be significant.

The truck haul route described in the DEIR (page IV.I-26) was chosen to minimize the number of residential streets used by the trucks, and because of the existing traffic volumes and steep grade on Ascension Drive. However, the commenter’s concern regarding the haul route will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Also, refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction.

Response 23-3

The commenter is also correct that Alternative C involves an access road near the backyards of existing homes that are located on Parrott Drive and that specific details are not provided regarding the grading and construction for the access road. While such a road could require a retaining wall, Alternative C would require less grading compared to the proposed project, resulting in fewer soil haul trips off-site and a reduction in the associated air quality, noise and traffic impacts during the grading phase. While Alternative C was identified as being the Environmentally Superior Alternative in the DEIR, this does not mean that the County will necessarily approve Alternative C.

Also, refer to Topical Response 5, Alternatives.

September 3, 2009

County of San Mateo, Planning and Building Department

Attn: James A. Castaneda, Project Planner

455 County Center, 2nd Floor

Redwood City, CA 94036-1662

Subject: Comments on Draft EIR Ascension Heights Subdivision Project

Dear Mr. Castaneda:

I am a neighbor resident in fairly close proximity to the proposed project. I apologize in advance for any misinterpretations or misunderstandings as it was rather difficult for me to review the quite voluminous EIR documents. As a preface for my comments I was wondering if it is possible to provide to the general public a summary document of the EIR that would explain in a simple, understandable and straightforward manner the proposed project and the environmental impact analysis. The Summary section in the draft EIR is very detailed and, quite frankly, difficult to comprehend for those unfamiliar with the environmental review process. A very basic document in the order of 20 pages or so that describes the proposed project, the alternatives to the project (I would use the same graphic format for the proposed project as that used for Alternatives, i.e. Figs. V1-1-V1-3, so that a side by side comparison can be made), the impacts and the proposed mitigations for the impacts, and the basis for the selection of the proposed project would really help.

24-1

I do have serious concerns with respect to the proposed project after review of the draft EIR. The following comments reflect those concerns as well as specific conditions which I feel are required to be imposed on the proposed project:

24-2

1. All mitigation measures set forth in the draft EIR shall be incorporated in the Final Map as conditions and requirements that must be met for whatever project is approved. In addition, the construction plans and specifications shall incorporate the mitigations required during construction.

2. It was unclear to me why the proposed project was selected when the environmentally superior alternative was Alternative C (ref. pg. V1-34). What is the basis for the proposed project selection as the best apparent alternative as one would presume that the environmental process was intended to determine what would best meet the project objectives with the least environmental impacts?

24-3

3. Table II-1 Summary of Environmental Impacts and Mitigation Measures defines several construction related mitigation measures that require specialized expertise (e.g. Air Quality Disturbance coordinator, qualified biologist for special-status plants survey, plan for protection of site summer lupine, preconstruction surveys for nesting birds, certified arborist for tree removal permit and approval of final project plans and monitoring of construction for protection of preserved trees as well as preparation of a Tree Mitigation and Monitoring Plan, a qualified engineering geologist to observe all excavations, perform settlement and slope stability analyses, provide technical input and review of drainage plans, a geotechnical consultant to review final grading and drainage plans and to observe construction grading to ensure that erosion control mitigation measures are performed as well as

24-4



review and approval of the final construction plans and specifications prior to Final Map approval, and a "noise disturbance coordinator". Coordination of these activities would presumably be put under the responsibility of the San Mateo County Building Inspection staff. Given the specialized nature of these activities ,which are over and above the typical construction inspection and monitoring responsibilities of construction inspectors, I would recommend that an environmental compliance monitor be part of the County construction management team to insure that the mitigation measures are met and to act as a focal point for issues associated with compliance to the mitigation requirements. Selection of the environmental compliance monitor would be determined by mutual consent of the project sponsor, the County of San Mateo and the neighbors directly affected by the project.

24-4

4. Table II-1 on Air Quality, Impact AQ-1: Construction /Demolition Emissions indicates that the BAAQMD standard control measures have not been incorporated into the project nor has the project applicant acknowledged that these measures would be implemented. Will the construction documents be submitted to BAAQMD for review/approval and a construction permit? If not, what is the justification of non-compliance to their standards?

24-5

5. Discussion on cumulative construction impacts with respect to related projects basically indicates that there would be little problems at this time. Since the proposed construction of the Ascension Heights Subdivision project will last 4-5 years, what measures will be provided in the advent of other projects (e.g. implementation of another phase of the San Mateo College Master Plan adding increased traffic on Parrott Drive), known or unknown to insure that adequate protection of the affected neighborhood residents is maintained?

24-6

6. Will all of the questions and concerns raised by the Sept. 20, 2008 letter by County of San Mateo Fire and the Nov. 20, 2003 Third Party Geotechnical/Geological Review by Treadwell & Rollo, Inc. be addressed in the project contract documents and during construction?

24-7

7. Have you received comments from the BAAQMD, Calif. Dept. of Fish and Game and the United States Fish and Wildlife Service agencies and can they be made available to the public?

24-8

Thank you for the opportunity to provide comments to the draft EIR.

Very truly yours,


Donald Munakata

Response to Comment Letter 24
Donald MunakataResponse 24-1

It is acknowledged that the DEIR consists of many pages and that oftentimes technical language is used which may not as understandable and straightforward as some might prefer. This is due in part to the fact that the DEIR analyzes almost every environmental issue included on the County of San Mateo's Initial Study Checklist, and that much of the analyses involve technical issues. Article 9 of the CEQA Guidelines also requires that DEIRs include certain sections, including but not limited to a Summary, Project Description, Environmental Setting, Impact Analysis, Mitigation Measures, Cumulative Impacts, Growth Inducing Impacts, and Alternatives. For a summary of the project, alternatives, topics of known concern, areas of controversy, issues to be resolved, and environmental impacts and mitigation measures, refer to Chapter II, Summary, of the DEIR.

Response 24-2

Comments acknowledged. All mitigation measures included in the DEIR will become conditions of project approval unless the County determines that other mitigation measures are more appropriate.

As described in Section IV, Mitigation Monitoring Program, of this FEIR, Section 21081.6 of the Public Resources Code requires a Lead Agency to adopt a "reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment" (Mitigation Monitoring Program, §15097 of the CEQA Guidelines provides additional direction on mitigation monitoring or reporting). The County of San Mateo (the "County") is the Lead Agency for the Ascension Heights Subdivision Project and is therefore responsible for enforcing and monitoring the mitigation measures in the Mitigation Monitoring Program (MMP).

The MMP is designed to monitor implementation of the required and recommended mitigation measures and conditions set forth for project approval as identified in the DEIR and the FEIR. The required and recommended mitigation measures as well as the conditions set forth for project approval are listed and categorized by either Section and/or impact area, with an accompanying identification of the following:

- Monitoring Phase, the phase of the project during which the mitigation measure shall be monitored:
 - Pre-Construction, including the design phase
 - Construction
 - Occupancy (post-construction)
- Implementing Party, the party responsible for implementing the mitigation measure.

- The Enforcement Agency, the agency with the power to enforce the mitigation measure.
- The Monitoring Agency, the agency to which reports involving feasibility, compliance, implementation and development are made.

The MMP for the project will be in place throughout all phases of the project. The project applicant shall be responsible for implementing all mitigation measures unless otherwise noted. The applicant shall also be obligated to provide certification, as identified below to the appropriate monitoring agency and the appropriate enforcement agency that compliance with the required mitigation measure has been implemented. The County will be used as the basic foundation for the MMP procedures and will also serve to provide the documentation for the reporting program.

Generally, each certification report will be submitted to the County in a timely manner following completion/implementation of the applicable mitigation measure and shall include sufficient information to reasonably determine whether the intent of the measure has been satisfied. The County shall assure that project construction occurs in accordance with the MMP.

Response 24-3

Page VI-1 of the DEIR states that the CEQA Guidelines require that EIRs include the identification and evaluation of a reasonable range of alternatives that are designed to reduce the significant environmental impacts of the project while still meeting the general project objectives. Section 15126.6(a) of the CEQA Guidelines states: “An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparable merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decisionmaking and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.”

Also, Section 15126.6(b) of the CEQA Guidelines states: “Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment, the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of project objectives, or would be more costly.”

Applicants of proposed projects are not required under CEQA to conduct an alternatives analysis for their project prior to submittal of a development application to the lead agency. It is possible, however, that the decision making bodies in their consideration of the proposed project could require the project to include components of the alternatives to reduce or avoid the project’s significant impacts.

Refer to Topical Response 5, Alternatives.

Response 24-4

Refer to Response to Comment 24-2. The commenter's recommendation that an environmental compliance monitor be part of the County construction management team to insure that the mitigation measures are met will be forwarded to the decision making bodies as part of the FEIR for their consideration in reviewing the project.

Response 24-5

The commenter is correct that Impact AQ-1 of the DEIR states that the standard BAAQMD control measures have not been incorporated into the project, nor has the project applicant acknowledged that these measures would be implemented. As such, these control measures are required in Mitigation Measure AQ-1 of the DEIR. Refer to Response to Comment 24-2 regarding implementation and enforcement of the DEIR mitigation measures. Also, refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction.

Response 24-6

Page IV.A-27 of the DEIR states that the project would have a significant and unavoidable impact to air quality during the construction and grading phase. The project impact would affect air quality throughout the region and, therefore, construction impacts would create a significant cumulative air quality impact. Similar to the proposed project, related projects in the area would be required to implement construction air quality mitigation measures based on the requirements of the BAAQMD.

Regarding the length of the grading and construction phase, refer to Topical Response 6, Construction Phasing and Schedule.

Response 24-7

Information included in the September 20, 2008 letter from the County of San Mateo Fire Department / CAL FIRE and the November 20, 2003 letter by Treadwell & Rollo was used as appropriate to prepare the Fire Protection and Geology & Soils sections of the DEIR, respectively. The information from the two letters facilitated preparation of the environmental setting, impacts analysis, and mitigation measures for the Fire Protection and Geology & Soils sections of the DEIR.

Response 24-8

No comments on the DEIR were received from the BAAQMD, California Department of Fish and Game, or the U.S. Fish and Wildlife Service. Also, none of these agencies submitted comments in response to the Notice of Preparation (NOP) of the DEIR.

Sept. 3. 2009.

Comment Letter No. 25

att: James Casteneda Project Planner.

No - No - No - No.

I'm very concerned about the project on Ascension Heights. The area has had several land slides. I am one who had one in 1969-70 on Ascension. There are water springs thru out the hills, the soil is alot of Clay, and needs alot of enginnering. Alot of heavy truck traffic, besides CSM traffic, lots of dust, road work, sewer work needed. So much involved.

Please Consider people who have been here for years. Thank you.

Mrs Argentina Lotti
1468- Ascension C 45 yr.

25-1

Response to Comment Letter 25**Argentina Totu**Response 25-1

This comment expresses the opinion about the proposed project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. Refer to Topical Response 3, Standards for Responses to Comments and Focus of Review of Commenters. Refer to Topical Response 2, Landslides and Slope Instability regarding the commenter's concerns about several landslides in the project area.

With regard to the commenter's point that there are water springs throughout the hills, refer to Response to Comment 1-2. Regarding the comment about a lot of heavy truck traffic during the construction phase, refer to Topical Response 7, Construction Traffic Impacts. Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction regarding the comment about lots of dust associated with the project construction phase.

Also, regarding provisions for road repair should roadway damage occur as part of the project soil haul exporting, the last bullet under Mitigation Measure TRANS-6 on page IV.I-26 of the DEIR states:

- As a condition of the grading permit required of the project applicant by the County, the applicant shall be responsible for the repair of any damage to roads resulting from the export of soil from the project site. Such repair shall be to the satisfaction of the San Mateo County Department of Public Works.

Provided the mitigation measures listed in the DEIR are adequately implemented and monitored, damage to sewer laterals connecting to off-site homes is not anticipated to occur as a result of the proposed project.

The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

GLASGOW
1597 Ascension Drive
San Mateo, CA 94402-3612
cglasgow@pacbell.net

September 4, 2009

County of San Mateo, Planning and Building Dept.
Attention: James A. Castaneda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94036-1662

RE: Ascension Heights Subdivision (Water Tank Hill) Project

Dear Mr. Castaneda,

In the 38 years that my wife and I have lived at 1597 Ascension Drive, we have experienced landslides in this area; four major landslides that I know of in which several houses were threatened and two houses lost. There were also, numerous smaller slides. In fact the day we moved into our new home, Whitecliff Homes, developer our neighborhood, was repairing a slide above us. It's still an ongoing problem. I know that the current developer will say that they have a new and improved method to prevent future landslides, but that was the same thing we were told about the Starlite Project, which had a major slide not too long after it was finished.

26-1

Another point I would like to cover is the severe erosion at the corner of Bel Aire and Ascension, which has been ongoing for at least 38 years. There are broken concrete drainage ditches and broken drain pipes. The recent map I saw showed it listed as an "undisturbed and protected area". If the developer is willing to ignore an area this severe, what else might he ignore or declare a "protected area"? I'm enclosing photographs of the erosion on Bel Aire and Ascension Drive (7), plus photographs (2) of erosion on the same block up Ascension Drive. There are many other areas showing this type of erosion throughout the proposed project.

26-2

My last point is that Ascension Drive has concrete drainage ditches located below the proposed project. These drainage ditches prevent flooding of our backyards of water runoffs coming down the hill. I see nothing in the report about preventing dust and debris from the construction site to going down the hill into these open ditches. Who will take care of any damages created when these ditches plug up and water and debris cascades down into our property?

26-3

Thank you for taking my concerns into consideration.

Sincerely,



Edwin (Ted) Glasgow

Enclosures: Nine Photographs

Response to Comment Letter 26

Ted Glasgow

Response 26-1

With regard to the commenter's statement about experiencing landslides in the area, refer to Topical Response 2, Landslides and Slope Instability.

Response 26-2

Refer to Topical Response 9, Erosion Impacts, regarding the existing erosion on the project site described by the commenter.

Response 26-3

Regarding the existing on-site drainage ditches on the project site and the prevention of dust and debris from entering the open ditches, refer to Topical Response 2, Landslides and Slope Instability, and Topical Response 9, Erosion Impacts.

Nagle (1538 Parrott Drive,) letter on Ascension Heights Subdivision proposal

September 6, 2009

County of San Mateo, Planning and Building Department
Attn: James A. Castañeda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94063-1662

Re: Ascension Heights Subdivision, Public Comments

Dear Mr. Castañeda:

We live on Parrott Drive directly adjacent to the proposed subdivision, and have numerous concerns, only some of which we describe below. The DEIR does not adequately deal with any.

27-1

- We bought our house nearly 10 years ago primarily for the open space view and access to wildlife. We see deer and numerous types of birds (quail in particular) throughout the year. Additionally, a pair of owls lives very close to our house on the hill (it was one owl until three years ago when a second joined; now we believe it may be a breeding pair). The DEIR states that the wildlife survey occurred on one day only, and found almost no wildlife. Anyone who lives near the hill knows that wildlife abounds on it. Does the County intend to permit the Developer to bulldoze the site as described in the DEIR, pushing out all wildlife? How does the County intend to determine if the owls and snakes on the hill are endangered species?

27-2

- Use of 20-yard trucks to remove soil from the site essentially will turn Laurie Lane and Parrott Drive, both of which allow on street parking, into one-way streets for five hours every day. Will the County require the developer to use workers with flags to regulate traffic flow from Bel Aire all the way through to CSM Drive? Will the Sheriff Department need to staff personnel to ensure proper and legal flow of traffic? How does the County anticipate handling traffic flow on CSM Drive on Wednesdays when the Farmers' Market is in the lower parking lot of CSM with parking sufficiently constrained that cars sit on CSM Drive waiting their turns to pull into the parking lot?

27-3

- The section of Parrott between Laurie Lane and CSM Drive has had two accidents in the past four years in which drivers have driven onto front yards, in one case directly into the front of a house. Our minivan has had the driver's side mirror knocked off twice. Cars routinely drive down from the CSM intersection at speeds in excess of 40mph. The DEIR states that traffic on Parrott will become worse as a result of the proposed development. What traffic calming measures is the County prepared to install to help Parrott retain some sense of safety? Additionally, during the construction period, what amount of liability insurance is the County requiring of the developer given that Parrott will be that much more of a dangerous road during construction?

27-4

- The turns from Bel Aire onto Laurie Lane and from Laurie onto Parrott Drive are very tight. The DEIR does not describe the turning radii of the proposed 20-yard trucks or whether those trucks could even make the turns, again bearing in mind that on-street parking is allowed. Will the County require an actual test of the proposed truck hauling route using the proposed 20-yard truck before granting a permit?

27-5

Nagle (1538 Parrott Drive,) letter on Ascension Heights Subdivision proposal

- | | |
|--|-------|
| <ul style="list-style-type: none"> Alternative C shows the possibility of a private street directly adjacent to the property line of those of us who live on Parrott Drive. Does the County intend on allowing those of us on Parrott Drive to be sandwiched by two streets? Is such a situation tolerated anywhere else in the County? | 27-6 |
| <ul style="list-style-type: none"> We live directly downhill and downwind of the project site. Dust will be a problem for the entire five years of the project. Three members of my family have allergies, which will be exacerbated by this dust. What measures will the County require to minimize the dust (currently the DEIR merely suggests mitigation)? To whom should we send doctor bills – the County or the Developer? | 27-7 |
| <ul style="list-style-type: none"> We have 40 electricity generating solar panels installed on our roof, which represents a ~\$35,000 investment by us to reduce our PGE bills. The dust generated during grading, and subsequently during the 5-year life of the project until landscaping is completed, will render our solar panels useless and require us to pay electricity bills exceeding \$2000/year. Will the County compensate us in some way for this “taking” of our rights and the increased bills? If not, then shouldn’t the developer? | 27-8 |
| <ul style="list-style-type: none"> We have three massive Cypress trees on our property. Their circumferences measured 4-1/2 feet from the ground (or immediately below the lowest branch) are 20’4”, 12’10”, and 12’4”. The proposed project maps labels these merely as “dense trees”. Clearly these trees qualify as Significant Trees, and we have no intention of cutting them down. The proposed project describes installing a storm drain and other infrastructure right through their root systems, which would damage and possibly kill these trees. Additionally, Alternatives B, C, and D show either houses or a street immediately adjacent to the bases of these trees, which clearly would result in destroying the trees. Will the County mandate that the developer alter project plans to avoid damaging our trees? | 27-9 |
| <ul style="list-style-type: none"> Each winter, those of us on Parrott suffer from downhill water runoff, to the point that we and many of our neighbors have had to install additional drainage systems in our backyards. How will the Developer prevent water runoff during the construction period, particularly given that he will have denuded the hillside, thereby encouraging even more runoff? The DEIR barely mentions this mitigation. Additionally, the proposal briefly describes the use of swales to help contain water running downhill once the project is complete. What will the County require of the Developer to prevent water runoff onto our property on an ongoing basis? The hillside has a network of underground springs. What will the County require of the Developer to prepare for exposing these springs during construction and then mitigating the water runoff? | 27-10 |
| <ul style="list-style-type: none"> The DEIR states that Noise Pollution for those of us adjacent to the site will exceed unhealthy levels for the entire day each construction day, and that this cannot be mitigated. Is the County proposing that those of us on Parrott simply suffer from noise exceeding 70 decibels simply because the Developer maintains that he cannot reduce the noise? What compensation does the County propose for our loss of hearing? | 27-11 |
| <ul style="list-style-type: none"> The DEIR states that PM and NOx pollution for those of use adjacent to the site will exceed unhealthy levels and be largely unmitigated. The DEIR describes some mitigation techniques for this pollution, but uses “should” rather than “must” in its language. Additionally, the DEIR states that the Developer has not acknowledged the need for mitigation. Will the County require the Developer to use all mitigation techniques, including the use of new diesel engine technology, to prevent us from being exposed to this pollution? | 27-12 |

Nagle (1538 Parrott Drive,) letter on Ascension Heights Subdivision proposal

While we are happy to consider new development in our neighborhood, the sheer scale of the proposal on a per house basis (5,000+ cubic yards of grading per house even before individual lot grading is considered, and five years of unmitigatable pollution and disruption) renders it mind boggling that anyone would consider this project as described. We respectfully request that the County reject this proposal and urge the developer to return with a project much less disruptive and polluting to the neighborhood.

27-13

Sincerely,

Handwritten signatures of Donald and Laurel Nagle in black ink. The signature of Donald Nagle is on the left, and the signature of Laurel Nagle is on the right, written in a cursive style.

Donald and Laurel Nagle
1538 Parrott Drive
San Mateo, CA 94402

Response to Comment Letter 27**Donald and Laurel Nagle**Response 27-1

This comment introduces ensuing comments, which are addressed in Responses to Comments 27-2 through 27-13, below.

Response 27-2

The comment shares field observations of common wildlife species seen on the project site and incorrectly states that the wildlife survey occurred during only one day. With respect to the observation of wildlife species, refer to Response to Comment 8-3. Regarding the number of wildlife surveys, refer to page IV.C-1 of the DEIR (Methods) and Appendix E of the DEIR. A total of eight site surveys have been conducted on the project site by qualified biologists from Rick Villasenor & Associates on May 18, 2003, from Thomas Reid & Associates during February 2004 and March 24, April 18, June 16, June 23, and June 24, 2005, and from Christopher Joseph & Associates on June 27, 2008. These surveys were conducted to identify, characterize, and document the biological resources (including wildlife habitats and species) on the project site. The surveys concluded that based on the type and quality of habitats present and the biologists' knowledge of special-status wildlife species' habitat requirements, the Mission blue butterfly, bats, and nesting birds and raptors (including owls) have potential to occur on the project site. However, Mitigation Measures BIO 1-a, BIO 1-b, and BIO 1-c will be undertaken to protect these species from impacts related to the proposed project and reduce these impacts to a less-than-significant level.

Response 27-3

The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project. Use of Sheriff's to control traffic flow during the project's construction phase is not anticipated to be required.

Response 27-4

Refer to Topical Response 7, Construction Traffic Impacts.

Response 27-5

Refer to Topical Response 7, Construction Traffic Impacts. The truck haul route described in the DEIR (page IV.I-26) was chosen to minimize the number of residential streets used by the trucks, and because of the existing traffic volumes and steep grade on Ascension Drive. However, the commenter's concern regarding the haul route will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 27-6

The commenter is correct that Alternative C involves an access road near the backyards of existing homes that are located on Parrott Drive. While Alternative C was identified as being the Environmentally Superior Alternative in the DEIR, this does not mean that the County will necessarily approve Alternative C, and it is acknowledged that implementation of one of the alternatives analyzed in the DEIR would result in tradeoffs in environmental impacts compared to the impacts associated with the project. For example, while implementation of Alternative C would avoid the significant and unavoidable temporary construction-related air quality impact that would occur under the proposed project, it would also result in project traffic using an access road closer to the backyards of existing homes located on Parrott Drive. Conversely, the proposed project's access road would be further set back from the homes along Parrott Drive, although it would result in a greater amount of operational vehicle trips compared to Alternative C.

Also, refer to Topical Response 5, Alternatives.

Response 27-7

Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction. Refer to Topical Response 6, Construction Phasing and Schedule. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 27-8

Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 27-9

Regarding the commenter's concern about potential damage or loss to their Cypress trees and that these trees qualify as Significant Trees, page IV.C-49 of the DEIR provides the following definition of significant trees: "According to the Significant Tree Ordinance No. 2427 of San Mateo County (Part Three of Division VIII of the County Ordinance Code, Chapter 1, Section 12,012) a "significant tree" is defined as any live woody plant rising above the ground with a single stem or trunk of a circumference of 38 inches or more measured at 4.5 feet vertically above the ground or immediately below the lowest branch, whichever is lower, and having the inherent capacity of naturally producing one main axis continuing to grow more vigorously than the lateral axes.

The Significant Tree Ordinance requires that a permit application be submitted for the cutting down, removing, poisoning or otherwise killing, destroying, or removing any significant tree or community of trees, whether indigenous or exotic, on any private property. The application shall be accompanied by drawings, photographs and other pertinent data including tree type, diameter/height and health; a map or of location and trees proposed to be cut; description of method to be used in removing or trimming the tree; a

description of a tree planting or replacement program; and other pertinent information which the County Community Development Director may require.”

Pages IV.C-56 and IV.C-57 of the DEIR also include the following analysis and mitigation measures regarding potential impacts to off-site trees:

“Indirect Effects to Preserved Trees

It is possible that remaining Significant or Heritage trees on the project site and those County-protected trees located outside of the project boundaries, but within proximity to the limits of grading, could sustain detrimental damage during project construction. Possible construction activities that could affect these remaining trees could include, but are not limited to, the compaction of soil around a tree, the severing of roots during trenching of utility lines, the placement of fill or cut slopes at the base of a tree, inappropriate trimming of limbs to allow equipment access, accidental damage to a tree by heavy equipment or by felling other trees, or improper landscape management. Any of these activities could result in the eventual loss of a tree over time. Thus, the project’s potential indirect impacts to preserved trees would be ***potentially significant***.

However, with the implementation of Mitigation Measure BIO-2b, this indirect impact will be reduced to a ***less-than-significant*** level.

Mitigation Measure BIO-2b

Prior to commencement of construction activities, a certified arborist or other County-approved professional shall review the final project plans to determine the potential for damage to occur to any trees that are not proposed for removal. If the arborist determines that any Significant and/or Heritage tree would be adversely affected by the project either through immediate damage or through damage that affects the long-term health of the tree eventually causing disease or death, the project applicant shall replace these identified trees on or near the project site in compliance with the County’s tree replacement requirements; the appropriate tree replacement ratio will be determined in coordination with the County Community Development Director. The following measures shall be implemented to avoid and/or minimize for potential indirect impacts to preserved trees before, during, and following construction activities.

Pre-Construction

- **Fencing**: Protective fencing at least 3 feet high with signs and flagging shall be erected around all preserved trees located adjacent to proposed vegetation clearing and grubbing, grading, or other construction activities. The protective fence shall be installed at a minimum of 5 feet beyond the tree canopy dripline. The intent of protection fencing is to prevent inadvertent limb/vegetation damage, root damage and/or compaction by construction equipment. The protective fencing shall be depicted on all construction plans and maps provided to contractors and labeled clearly to prohibit entry, and the placement of the fence in the field shall be approved by a qualified

biologist prior to initiation of construction activities. The contractor shall maintain the fence to keep it upright, taut and aligned at all times. Fencing shall be removed only after all construction activities are completed.

- Pre-Construction Meeting: A pre-construction meeting shall be held between all site contractors and a registered consulting arborist and/or a qualified biologist. All site contractors and their employees shall provide written acknowledgement of their receiving sensitive natural community protection training. This training shall include, but shall not be limited to, the following information: (1) the location and marking of protected sensitive natural communities; (2) the necessity of preventing damage to these sensitive natural communities; and (3) a discussion of work practices that shall accomplish the purpose of mitigation measures.

During Construction

- Fence Monitoring: The protective fence shall be monitored weekly during construction activities to ensure that the fencing remains intact and functional, and that no encroachment has occurred into the protected natural community; any repairs to the fence or encroachment correction shall be conducted immediately.
- Equipment Operation and Storage: Contractors shall avoid using heavy equipment around the sensitive natural communities. Operating heavy machinery around the root zones of trees would increase soil compaction, which decreases soil aeration and, subsequently, reduces water penetration into the soil. All heavy equipment and vehicles shall, at minimum, stay out of the protected zones, unless where specifically approved in writing and under the supervision of a registered consulting arborist and/or a qualified biologist.
- Materials Storage and Disposal: Contractors shall not store or discard any construction materials within the fenced protected zones, and shall remove all foreign debris within these areas. However, the contractors shall leave the duff, mulch, chips, and leaves around the retained trees for water retention and nutrient supply. In addition, contractors shall avoid draining or leakage of equipment fluids near retained trees. Fluids such as gasoline, diesel, oils, hydraulics, brake and transmission fluids, paint, paint thinners, and glycol (anti-freeze) shall be disposed of properly. The contractors shall ensure that equipment be parked at least 50 feet, and that equipment/vehicle refueling occur at least 100 feet, from fenced tree protection zones to avoid the possibility of leakage of equipment fluids into the soil.
- Grade Changes: Contractors shall ensure that grade changes, including adding fill, shall not be permitted within the fenced protected zone without special written authorization and under supervision by a registered consulting arborist and/or a qualified biologist. Lowering the grade within the fenced protected zones could necessitate cutting main support and feeder roots, thus jeopardizing the health and structural integrity of the tree(s). Adding soil, even temporarily, on top of the existing grade could compact the soil further, and decrease both water and air

availability to the tree roots. Contractors shall ensure that grade changes made outside of the fenced protected zone shall not create conditions that allow water to pond.

- Trenching: Except where specifically approved in writing beforehand, all trenching shall be outside of the fenced tree protection zone. Roots primarily extend in a horizontal direction forming a support base to the tree similar to the base of a wineglass. Where trenching is necessary in areas that contain roots from retained trees, contractors shall use trenching techniques that include the use of either a root pruner (Dosko root pruner or equivalent) or an Air-Spade to limit root impacts. A registered consulting arborist shall ensure that all pruning cuts shall be clean and sharp, to minimize ripping, tearing, and fracturing of the root system. Root damage caused by backhoes, earthmovers, dozers, or graders is severe and may ultimately result in tree mortality. Use of both root pruning and Air-Spade equipment shall be accompanied only by hand tools to remove soil from trench locations. The trench shall be made no deeper than necessary.
- Erosion Control: Appropriate erosion control best management practices (BMPs) shall be implemented to protect preserved protected trees during and after project construction. Erosion control materials shall be certified as weed free.
- Inspection: A registered consulting arborist shall inspect the preserved trees adjacent to grading and construction activity on a monthly basis for the duration of the project. A report summarizing site conditions, observations, tree health, and recommendations for minimizing tree damage shall be submitted by the registered consulting arborist following each inspection.

Post-Construction

- Mulch: The contractors shall ensure that the natural duff layer under all trees adjacent to construction activities shall be maintained. This would stabilize soil temperatures in root zones, conserve soil moisture, and reduce erosion. The contractors shall ensure that the mulch be kept clear of the trunk base to avoid creating conditions favorable to the establishment and growth of decay causing fungal pathogens. Should it be necessary to add organic mulch beneath retained oak trees, packaged or commercial oak leaf mulch shall not be used as it may contain root fungus. Also, the use of redwood chips shall be avoided as certain inhibitive chemicals may be present in the wood. Other wood chips and crushed walnut shells can be used, but the best mulch that provides a source of nutrients for the tree is its own leaf litter. Any added organic mulch added by the contractors shall be applied to a maximum depth of 4 inches where possible.
- Watering Adjacent Plant Material: All installed landscaping plants near the protected tree zones shall require moderate to low levels of water. The surrounding plants shall be watered infrequently with deep soaks and allowed to dry out in-between, rather than frequent light irrigation. The soil shall not be allowed to become saturated or stay continually wet, nor should drainage allow ponding of water. Irrigation spray shall not hit the trunk of any tree. The

contractors shall maintain a 30-inch dry-zone around all tree trunks. An above ground micro-spray irrigation system shall be used in lieu of typical underground pop-up sprays.

- **Monitoring:** A registered consulting arborist shall inspect the trees preserved on the site adjacent to construction activities for a period of two years following the completion of construction. Monitoring visits shall be completed quarterly, totaling eight visits. Following each monitoring visit, a report summarizing site conditions, observations, tree health, and recommendations for promoting tree health shall be submitted to the County. Additionally, any tree mortality shall be noted and any tree dying during the two-year monitoring period shall be replaced at a minimum 2:1 ratio on-site in coordination with the County.”

Response 27-10

Regarding the commenter’s concerns about drainage, runoff and underground springs, refer to Response to Comment 1-2, Topical Response 2, Landslides and Slope Instability, and Topical Response 9, Erosion Impacts.

Response 27-11

Regarding noise impacts from the project, refer to Topical Response 8, Construction and Operational Noise Impacts. Pages IV.G-13 and IV.G-14 of the DEIR list eight mitigation measures designed to reduce construction noise impacts. These mitigation measures would be implemented to lessen the project’s construction noise impacts by reducing noise levels associated with project construction; however, it is possible that people at adjacent land uses and along roadways used by haul trucks would continue to experience increases in noise greater than 3 dB(A) during the project’s construction period. Therefore, even with implementation of the mitigation measures, impacts related to short-term noise increases would remain ***significant and unavoidable***.

The truck haul route described in the DEIR (page IV.I-26) was chosen to minimize the number of residential streets used by the trucks, and because of the existing traffic volumes and steep grade on Ascension Drive. However, the commenter’s concern regarding the project’s noise impacts on Parrott Drive, which would be created in part by the soil haul trucks using Parrott Drive, will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 27-12

The commenter is correct that Impact AQ-1 of the DEIR states that the standard BAAQMD control measures have not been incorporated into the project, nor has the project applicant acknowledged that these measures would be implemented. As such, these control measures are required in Mitigation Measure AQ-1 of the DEIR. Refer to Response to Comment 24-2 regarding implementation and enforcement of the DEIR mitigation measures. Also, refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction.

Response 27-13

This comment expresses an opinion about the merits or a design feature of the project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

SAN MATEO OAKS HOMEOWNERS ASSOCIATION

1606 Ascension Drive San Mateo, CA 94402

September 6, 2009

County of San Mateo, Planning and Building Department
Attn: James A. Castaneda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94036-1662

Re: Ascension Heights Subdivision Project

Dear Mr. Castaneda:

The purpose of this letter is to express the opposition of the 131 homeowner members of our Association to the development of the Ascension Heights project and to highlight the inadequacies of the DEIR. Our comments appear below.

28-1

RELATIONSHIP TO THE PROJECT. All of our 131 homeowners own, and are financially responsible for the maintenance of all the land immediately adjacent to the project on the east and southeast sides of the project. In fact, except for the frontage of the project on Ascension and Bel Aire streets, and except for the backyards of seven homes on Parrott Drive, we own all of the property adjacent to the project. Our property is described as "Lot A" and mapped out in county records as part of Tract #856, San Mateo Oaks, and appears in Volume 69 of maps, at pages 29-34 in general and on page 33 in particular. If you examine those county records, and then eyeball our property, you will discover that the land is useless because it is very steep (almost unwalkable), it is subject to landslides, it has already sustained one landslide which cost our homeowners an expensive assessment, and it cannot safely be built upon. If our land had any developmental possibilities you can be certain that the company which built our homes would have developed it. In other words, it is "white elephant" land, but expensive to maintain.

28-2

In addition to the financial burdens which this project may impose on all of our homeowners, this project directly impinges on those of our members who reside in the first 5-10 homes at the west end of Los Altos Drive, those who reside on the west end of Ascension Drive and those who live on CSM Drive and Kristin Court.

LANDSLIDES. As indicated above, our membership has already sustained a financial burden as a result of a landslide on Lot A , and the DEIR does not adequately discuss the problem of who will have to bear the financial burden of future landslides. The movement of heavy trucks and equipment on those fragile, unstable slopes most likely will cause another slide. The final EIR should include a requirement that the builder put up a bond, in the amount of \$850,000 (the amount our homeowners were assessed in 1994 as the result of another slide) which is valid for at least thirty years, to indemnify our Association in the event another slide occurs on Lot A.

28-3

Failing that, the County should assume all maintenance costs associated with Lot A by entering into a written agreement with our Association to assume all such costs. The point is that we do not want to be suckered again into a situation whereby the County lets a developer off the financial hook for liability caused by the risk of future landslides but refuses to assume that risk itself.

FIRE. Lot A contains numerous Eucalyptus trees and the ground is often covered with highly flammable eucalyptus debris. Although adjacent homeowners on CSM Drive and Kristin Court are supposed to clear such debris (for their own safety) for various reasons they often do not do so.

Who then becomes financially liable if a spark from heavy equipment engines, heavy trucks or workmen electric hand tools causes a fire on Lot A? Such a scenario is similar to the landslide scenario discussed above and is just as likely.

28-4

Again we suggest that the DEIR contain a clause requiring the contractor to assume liability for any fire occurring during the proposed five-year construction period.

TRAFFIC ACCIDENT HAZARD. A particular traffic hazard problem will be faced by our membership. This concerns the proposed fire road exit on Ascension Drive. Most of our members driving to San Francisco, via Polhemus Road, Crystal Springs Road and Highway 280 drive west on Ascension Drive. So do members driving to downtown San Mateo, who turn east on Crystal Springs Road instead of west.

As you proceed west on Ascension you must drive up a hill, turning first left and then right before you get to the top of the hill. You reach the crest of the hill almost precisely where the proposed fire exit exists and, depending on your speed and the speed of the exiting truck, it becomes very difficult to avoid an accident. Coming up the hill a driver cannot see the fire road exit until he is almost upon it. And a truck driver exiting the fire road cannot see the automobile driver coming because of the hill. The problem is particularly acute in the late afternoon because the setting sun blinds the driver on Ascension.

28-5

In order to fully appreciate how hazardous the proposed fire road may become one must drive the Ascension hill in the afternoon many times. We who live here are aware of the problem but a stranger to the neighborhood may not be. The DEIR is deficient because no traffic study of this problem has been made

28-5

SHARED VISION. The location of the project is in a rural, hilly, bedroom community in the County rather than in the City of San Mateo. There is no accessible or convenient public transportation available, no nearby commercial services and the impact this proposed development will have on surrounding communities is extremely negative. Thus the DEIR violates items #10, #11 and #12 of the "Shared Vision 2010" promulgated by the County.

28-6

ADDITIONAL PROBLEMS . Other persons will address the deficiencies in the DEIR concerning the health problems, noise problems, dust problems, aesthetic (high wall) problems and traffic problems which will arise from the movement of heavy, earth-filled trucks during the proposed five-year construction period. All of those problems will be faced by those living in nearby communities as well as by our membership, We endorse all of their comments.

But one health, noise, dust, aesthetic and traffic problem which is peculiar to our membership concerns the fact that the San Francisco Water Department is in the process of constructing a tunnel right below all of our homes and is depositing all the "muck" in the valley right below us. Over 43,000 square yards of "muck" will be deposited in the valley and, for comparison purposes, we understand that 140,000 square yards of dirt will be removed from the water tower hill. In other words, we will be getting a "double whammy" from the removal of "muck" and dirt by the tunnel contractors and by the water tower project contractors.

28-7

The DEIR does not discuss this "double whammy" deficiency peculiar to our membership.

We hope you will seriously considered the problems we have raised in this letter.

Yours truly,

Eugene H. Ciranni
Eugene H. Ciranni
President

cc. Supervisor Mark Church
Supervisor Carol Groom
Supervisor Richard Gordon

Response to Comment Letter 28**Eugene Ciranni**Response 28-1

This comment introduces ensuing comments, which are addressed in Responses 28-2 through 28-7, below.

Response 28-2

Regarding the commenter's concerns about the site being steep, is subject to landslides, and that it cannot safely be built upon, refer to Topical Response 2, Landslides and Slope Instability.

Response 28-3

Regarding the comment about landslides, refer to Topical Response 2, Landslides and Slope Instability. Regarding the comment that the DEIR does not address who will have to bear the financial burden of future landslides, CEQA does not apply to economic and social effects. CEQA Guidelines § 15131, Public Resources Code § 21060.5. However, the commenter's recommendation that the applicant put up a bond which is valid for at least 30 years to indemnify the San Mateo Oaks Homeowners Association in the event of a landslide on the site will be forwarded to the decision making bodies as part of the FEIR for their consideration in reviewing the project.

Response 28-4

Regarding fire impacts associated with the project, refer to Response to Comment 20-2.

Response 28-5

Refer to Section IV.I, Transportation/Traffic, of the DEIR for an analysis of the project's operational traffic impacts which were all found to be less than significant with the exception of road widths and road grades which were found to be *significant* but can be reduced to less-than-significant levels via implementation of Mitigation Measures TRANS-3 and TRANS-4 on pages IV.I-23 and IV.I-24 of the DEIR, respectively. The Emergency Vehicle Access (EVA) is not intended to be used as the primary access to the project site.

Response 28-6

Comment noted. Inconsistency with a policy may indicate a significant physical impact, but the inconsistency is not itself an impact. The determination that the project is consistent or inconsistent with the goals of the County's Shared Vision 2010 or other County plans and policies is ultimately the decision of the County. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 28-7

Regarding comments about the project creating dust, health problems, traffic and noise, refer to: Topical Response 1, Air Quality Impacts and Health Risk During Construction; Topical Response 7, Construction Traffic Impacts; and Topical Response 8, Construction and Operational Noise Impacts, respectively. Regarding operational traffic impacts, refer to Response to Comment 17-1. Refer to Section IV.A, Aesthetics, of the DEIR for an analysis of the project's aesthetics impacts. Regarding the length of the grading and construction phase, refer to Topical Response 6, Construction Phasing and Schedule.

Regarding the comment that the DEIR fails to consider the nearby tunnel project, refer to Table III-1, Related Projects List, on page III-16 of the DEIR, which lists the Crystal Springs Bypass Tunnel Project as related project number 6. As applicable, the cumulative impact analyses in the DEIR discuss this related project. For example, page IV.I-25 of the DEIR states that the grading and construction phase of the proposed project could overlap with other projects in the vicinity, particularly the new Crystal Springs Bypass Tunnel project and the various improvement projects at the College of San Mateo. Depending on the actual construction dates of the proposed project and various related projects (refer to Table III-1 of the DEIR; in particular related projects in the vicinity of the proposed project roadways), it is possible that heavy trucks required to import and/or export materials to the related project sites could use roads to be used by the soil haul trucks for the proposed project.

The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

September 6, 2009

To: County of San Mateo Planning and Building Department
Attention: James A. Castaneda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94036-1662

From: Ronald and Arlene Johnson

Subject: PROPOSED ASCENSION HEIGHTS SUBDIVISION

We are opposed to the Ascension Heights Subdivision Development because of the known unstable land throughout this area which has caused much expense to homeowners and our county (taxpayers) during the 48 years we have lived here. Many of us have had considerable expense over the years in installing drainage pipes and retaining walls to repair and prevent additional slides and foundation problems.

The developers and builders have generally been out of business or gone from our area by the time the numerous problems from the unstable ground have occurred. It has been left to homeowners and insurance companies and/or attorneys to resolve the many major and minor problems between properties.

Our streets in this area have been a real problem/expense for our county and taxpayers to maintain in an acceptable condition due to continuous cracking and shifting over the years. The unsightly appearance detracts from this area because of the necessity to continue with crack filling. Builders and developers running very large trucks and hauling large earth-moving equipment into and through this area should be charged substantial permit fees to repair these streets.

Where do everyone's interests in this project lie?

Obviously, the developer stands to gain the most from their potential profits in building and selling as many as 25 homes. Were the project to be scaled back to 10 to 12 homes, the developer would still make a great deal of money.

How about the Planning Commission, the Board of Supervisors and the County? Besides the obvious increase in tax base, there certainly have been or will be other, less apparent (to the public) benefits to those government individuals most involved in working for approval of this project. There always are, probably quite significant numbers here as well.

Now for the neighboring residents of the project on Bel Air Road, Ascension and Parrott Drives. What's in it for them? Or to paraphrase the movie line, "What about the Quid Pro Quo, Doctor?"

29-1

Dust, noise, debris, diesel fumes, ruined roads, harmed property values during the four to five years of construction on top of what the latest recession has just caused. Not exactly the same as the profits and perks destined for the other parties. Neither does five years of a seriously degraded quality of life for all now living here count as much of a benefit.


29-2

So how about some Quid Pro Quo? At a minimum the streets affected by the heavy construction traffic should be completely re-paved, not just a slurry coating, after construction has ended, at the developer's expense. At a minimum, the developer should pay for a 30- to 40-year bond to fix erosion and other problems their project will certainly cause long after they have flown the coop with their profits. But these components of the residents' interest will only serve to return things, as best as possible, to a pre-construction state. They don't do anything to ameliorate the five-year-long stresses of dust, noise, debris, diesel fumes and harmed property values. They don't compensate for a degraded quality of life.

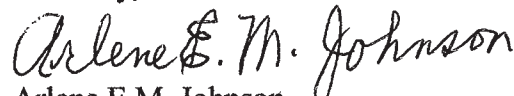
29-3

We still don't really have any Quid Pro Quo. How about if the developer, at their own cost, commits to burying all the power and telephone utilities underground on all streets affected? This would best take place before construction begins as a sign of good faith, or at least after construction is completed and before the repaving takes place. Underground utilities would be an improvement to the area, would enhance the value of the current residents' homes (after five years of harm), would enhance the value of the new development and would enhance the quality of life for all.

Sincerely,


Ronald I. Johnson
1398 Parrott Drive
San Mateo, CA 94402

Sincerely,


Arlene E.M. Johnson
1398 Parrott Drive
San Mateo, CA 94402

Response to Comment Letter 29**Ronald and Arlene Johnson**Response 29-1

This comment expresses the opinion about the proposed project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. Refer to Topical Response 2, Landslides and Slope Instability, with regard to the comment about unstable land in the area and associated “cracking and shifting” in the area.

Response 29-2

This comment expresses the opinion about the proposed project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. Refer to Topical Response 3, Standards for Responses to Comments and Focus of Review of Commenters.

Refer to: Topical Response 1, Air Quality Impacts and Health Risk During Construction; Topical Response 8, Construction and Operational Noise Impacts; and Topical Response 6, Construction Phasing and Schedule. Regarding the comment about harmed property values during the construction phase, CEQA does not apply to economic and social effects. CEQA Guidelines § 15131, Public Resources Code § 21060.5. With regard to the comment about ruined roads due to the project, refer to Response to Comment 25-1.

Response 29-3

Refer to Response to Comment 29-3. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

County of San Mateo, Planning and Building Department
 Atten: James A Castaneda, Project Planner
 455 County Center, 2nd Floor
 Redwood City, CA 94036 -1662

September 6, 2009

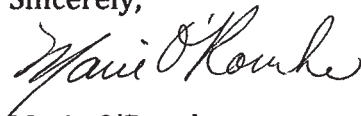
Dear Mr. Castaneda:

The proposed Ascension Heights Subdivision project (on Water Tank Hill) poses a variety of problems/threats to the surrounding community. The hill is known to have a high water table in times of normal rainfall, hence the name Crystal Springs to the surrounding area. With the extensive grading of the area, the water table will be disturbed, and this water table will seek release anywhere it can posing potential harm to homes in existence or to be built. Another area of concern is the soil content itself. It appears to be sandstone composition and is eroding in various places into sand-like soil presently (see area on south side of CSM eucalyptus grove and on the Ascension steep side). This type of soil on the hill has the potential to precipitate into slides – into the homes presently in CSM Court or off the steeper slopes. An extensive environmental impact investigation into present and past history of the area is a necessity. In addition, the fault maps of the area show seismic activity. The soil, water table and seismic activity of this area point to potential dangers to the present homes and any new construction.

Another concern is the fire hazard this high-density housing area presents in an area with very poor fire prevention access, grasslands, and eucalyptus groves on several sides. Fire could spread quickly to homes on Parrott Drive and the CSM Ct. In conjunctions with the fire danger, is the close proximity of these homes to those on Parrott Dr. The large size presented in these new homes would overshadow the homes in existence in the neighborhood both physically and in compatible architecture of the neighborhood.

The increase in traffic, heavy equipment, noise and dust/pollution are health and safety issues in a small neighborhood with streets and site environments not suited for this type and scale of activity.

Sincerely,


 Marie O'Rourke

124 CSM Drive

San Mateo, CA 94402

| | |
|--|------|
| | 30-1 |
| | 30-2 |
| | 30-3 |
| | 30-4 |
| | 30-5 |
| | 30-6 |

Response to Comment Letter 30**Marie O'Rourke**Response 30-1

Refer to Response to Comment 1-2 regarding the comment about a high water table at the project site.

Response 30-2

Regarding the comment about the project site appearing to contain sandstone composition that is eroding in various places on-site and the potential for landslides, refer to Refer to Topical Response 2, Landslides and Slope Instability.

Response 30-3

Refer to Section IV.D, Geology and Soils, for a discussion of seismic impacts associated with the site and proposed project. Also, refer to Response to Comments 30-1 and 30-2 regarding the water table on-site and on-site soils, respectively.

Response 30-4

Regarding the commenter's concern about fire hazard, refer to Response to Comment 20-2.

Response 30-5

Pages IV.A-25 and IV.A-25 of the DEIR discuss that although the existing character of the site would be altered by the project, the change would not be a substantial degradation. Implementation of the project would result in the development of 25 single-family residential land uses and 36 percent (4.76 acres) of conservation and recreation areas on the project site that are similar to the land uses found adjacent to and in the vicinity of the site. Further, the proposed project would include site drainage improvements, which would improve the existing eroded "open space" areas (refer to Figure III-3 and Figure III-18 of the DEIR) for further use as the proposed restored common areas/conservation area. As discussed under Impact AES-1 on pages IV.A-19 through IV.A-22 of the DEIR, the project applicant would be required to comply with all applicable County visual quality policies, which would, "...promote and enhance good design, site relationships, and other aesthetic considerations," and would, "...promote visually attractive development." Further, the project applicant would also be required to replace trees that would be removed from the site at a ratio to be determined in coordination with the County Community Development Director (refer to Mitigation Measure AES-1 on page IV.A-23 of the DEIR). For these reasons, the project would not result in a substantial degradation to the visual character of the project area. Therefore, project impacts on the visual character of the surrounding area would be less than significant and no mitigation measures are required. Although no mitigation measures are required, implementation of Mitigation Measure AES-1 and Mitigation Measure AES-3 (mentioned below) would further reduce any adverse project impacts on the existing visual character and quality of the site and its surroundings.

Response 30-6

Regarding comments about the project creating dust, traffic and noise, refer to: Topical Response 1, Air Quality Impacts and Health Risk During Construction; Topical Response 7, Construction Traffic Impacts; and Topical Response 8, Construction and Operational Noise Impacts, respectively. Regarding operational traffic impacts, refer to Response to Comment 17-1.

The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

September 7, 2009

County of San Mateo, Planning and Building Department
Attn: James A. Castaneda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94036-1662

Dear Mr. Castaneda,

I'm writing to express my opposition to the proposed development of Water Tank Hill with the Ascension Heights Subdivision project for the following reasons:

- Our neighborhood is already densely populated, and with the traffic on Parrott Drive related to the College of San Mateo, we have more than enough trucks and buses on Parrott Drive (making it less safe for the many families who live here).
- The proposed development will negatively impact the environment of our neighborhood for years, creating dust, traffic and noise pollution.
- We really appreciate having some open space in our neighborhood. My family regularly takes walks around Water Tank Hill and we enjoy the peacefulness as well as animal sightings.

Any proposal to develop Water Tank Hill conflicts with goals 11-15 of San Mateo County's Shared Vision 2010. Moreover, Highlands Elementary School is already impacted with more demand than capacity; where would the children of the residents of this proposed development attend school?

I urge you to reject any proposal to develop Water Tank Hill. Thank you for considering my concerns.

Sincerely,



Alissa Reindel
1735 Parrott Drive
San Mateo, CA 94402

31-1

31-2

31-3

31-4

31-5

31-6

Response to Comment Letter 31**Alissa Reindel**Response 31-1

Refer to Topical Response 7, Construction Traffic Impacts. Regarding operational traffic impacts, refer to Response to Comment 17-1.

Response 31-2

Regarding comments about the project creating dust, traffic and noise, refer to: Topical Response 1, Air Quality Impacts and Health Risk During Construction; Topical Response 7, Construction Traffic Impacts; and Topical Response 8, Construction and Operational Noise Impacts, respectively. Regarding operational traffic impacts, refer to Response to Comment 17-1.

Response 31-3

Comment noted. This does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 31-4

Comment noted. Inconsistency with a policy may indicate a significant physical impact, but the inconsistency is not itself an impact. The determination that the project is consistent or inconsistent with the goals of the County's Shared Vision 2010 or other County plans and policies is ultimately the decision of the County. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 31-5

As described in Section IV.H.3 (Schools & Libraries) of the DEIR, public education services near the project site are provided by the San Mateo-Foster City School District (SMFCSD) and the San Mateo Union High School District (SMUHS). Highlands Elementary School (located at 2320 Newport in the City of San Mateo) and Borel Middle School (located at 425 Barneson in the City of San Mateo) are the SMFCSD schools that serve the project site and surrounding area. Also, Aragon High School (located at 900 Alameda de las Pulgas in the City of San Mateo) serves the project site and surrounding area.

As mandated by State law, the project applicant would be required to pay \$2.97 (as of January 2008) or per square foot in developer fees to offset any impacts the project would have on both the SMFCSD and the SMUHS. Therefore, impacts associated with school services would be *less than significant* and no mitigation measures are required.

Response 31-6

This comment contains closing language for this comment letter. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Dear Mr. James Custalena -

Comment Letter No. 32

we demand "daily" because we live here every day!

The DEIR is lack of daily inspection enforcement and the compensation plan on all items, from the land slide to the noise, from the pollution to the traffic.

32-1

Land slide is a major concern.

The water tank hill is a sand soil hill. That's why the original construction company did not build any house there half century ago. According to the DEIR, the developer will build a retain wall to control the land slide. However, the retain wall will be built on the sand soil. It is not stable at all. If the wall falls on houses around the hill during or after the construction completed (maybe ten or twenty years after), how will the developer pay for the damage? There is no compensation promise on the DEIR.

32-2

The pollution is a tricky issue on DEIR

The most dangerous pollutant from the diesel exhaust is BENZENE. Benzene is a non-specific chemical compound, and it can cause cancer at all parts of body. Diesel exhaust contains the most benzene; even on the new bio diesel trucks, the exhaust has a lot more benzene than any other vehicles. DEIR did not mention any thing about the benzene at all. There is no compensation on pollution causing cancer and other health problems. More over, the measurement of the diesel pollution is on the flat land driving. The construction site is deep hill area. From Lourie to Parrott, is a deep hill turn plus a stop sign. The diesel exhaust will 10 to 20 times more than measurement on the DEIR. Since the developer can not eliminate the benzene from diesel exhaust, the compensation for all residents in the neighborhood should be addressed specifically with reasonable standard.

32-3

The other concern is the noise.

The DEIR does not have any reliable noise control plan. The construction time control, from 8 am to 4pm, is not a noise control. The time control does not reduce the volume of the noise. It is tricky. We need to see some real noise control plan on the DEIR, such as replacing all windows and sliding doors for the whole neighborhood all houses, or compensate all residents to stay away noise area during the construction, and so on. The noise control is to eliminate the noise and to provide a quiet environment for residents.

32-4

One more concern is about interrupting the scenic view and the beauty of the neighborhood.

On DEIR pp. 22, the developer denied the truth of the construction interrupting the natural beautiful scenic view because the report only made the measurement on the size of the hill, but not the elevation the hill.

The water tank hill has the highest elevation in the entire neighborhood. Parrott drive is at the top of the surrounding hills. And the water tank hill, the project site, is above Parrott. If the trees get cutting down and the retain wall building up around the hill, the water tank hill will stand out with the ugly sand stone and the retain wall at the middle of the green beauty surrounding. It can be seen from far away 280 and beyond.

32-5

Because it is a violation of the state scenic protection, the developer tried to paint a rose on the top of the ugly reality and turn it into an "attractive urban development".

When the earth quick hit the area, the retain wall will fall. The project site will be more "attractive".

Storck Family

Sept. 8, 2009.

Response to Comment Letter 32
Strickley FamilyResponse 32-1

As described in Section IV, Mitigation Monitoring Program, of this FEIR, Section 21081.6 of the Public Resources Code requires a Lead Agency to adopt a “reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment” (Mitigation Monitoring Program, §15097 of the CEQA Guidelines provides additional direction on mitigation monitoring or reporting). The County of San Mateo (the “County”) is the Lead Agency for the Ascension Heights Subdivision Project and is therefore responsible for enforcing and monitoring the mitigation measures in the Mitigation Monitoring Program (MMP).

The MMP is designed to monitor implementation of the required and recommended mitigation measures and conditions set forth for project approval as identified in the DEIR and the FEIR. The required and recommended mitigation measures as well as the conditions set forth for project approval are listed and categorized by either Section and/or impact area, with an accompanying identification of the following:

- Monitoring Phase, the phase of the project during which the mitigation measure shall be monitored:
 - Pre-Construction, including the design phase
 - Construction
 - Occupancy (post-construction)
- Implementing Party, the party responsible for implementing the mitigation measure.
- The Enforcement Agency, the agency with the power to enforce the mitigation measure.
- The Monitoring Agency, the agency to which reports involving feasibility, compliance, implementation and development are made.

The MMP for the project will be in place throughout all phases of the project. The project applicant shall be responsible for implementing all mitigation measures unless otherwise noted. The applicant shall also be obligated to provide certification, as identified below to the appropriate monitoring agency and the appropriate enforcement agency that compliance with the required mitigation measure has been implemented. The County will be used as the basic foundation for the MMP procedures and will also serve to provide the documentation for the reporting program.

Generally, each certification report will be submitted to the County in a timely manner following completion/implementation of the applicable mitigation measure and shall include sufficient information to

reasonably determine whether the intent of the measure has been satisfied. The County shall assure that project construction occurs in accordance with the MMP.

Refer to Topical Response 2, Landslides and Slope Instability. Regarding comments about the project creating dust, traffic and noise, refer to: Topical Response 1, Air Quality Impacts and Health Risk During Construction; Topical Response 7, Construction Traffic Impacts; and Topical Response 8, Construction and Operational Noise Impacts, respectively. Regarding operational traffic impacts, refer to Response to Comment 17-1.

Response 32-2

Refer to Topical Response 2, Landslides and Slope Instability.

Response 32-3

Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction.

Response 32-4

Refer to Topical Response 8, Construction and Operational Noise Impacts. The commenter's recommended noise mitigation measures will be forwarded to the decision-making bodies for review and consideration.

Response 32-5

Comment noted. Refer to Section IV.A, Aesthetics, of the DEIR for an analysis of the project's aesthetics impacts. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

September 8, 2009

County of San Mateo, Planning and Building Department
Attn: James A. Castaneda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94036-1662

Mr. James Castaneda,

I would like to formally protest the proposed Ascension Heights Subdivision project (on Water Tank Hill) in San Mateo, CA. Not only will this cause disruption to the entire neighborhood for lengthy periods of time, but is a health hazard to all nearby residents.

33-1

I am also afraid this may destabilize the hillside, as the area is already known for the unstable conditions and settling of land. The landslide on Polhemus Road, down the block from Water Tank Hill caused a major road closure for months and any development in the area may cause new shifting of land or further movement. What are options to any affected homeowners if this happens?

33-2

Regards,



Randy Gin, Homeowner
1479 Ascension Drive
San Mateo, CA 94402

Response to Comment Letter 33

Randy Gin

Response 33-1

Refer to Topical Response 6, Construction Phasing and Schedule, and Topical Response 1, Air Quality Impacts and Health Risk During Construction.

Response 33-2

Refer to Topical Response 2, Landslides and Slope Instability.

September 8, 2009

County of San Mateo
 Planning and Building Department
 Attn: James A. Castaneda, Project Planner
 455 County Center, 2nd Floor
 Mail Drop PLN 122
 Redwood City, CA 94036-1662

Re: Ascension Heights Subdivision

Dear Commission Members,

We have lived on Ascension Drive in San Mateo for over twenty years and we now feel compelled to write to you to protect the safety of our neighborhood and the health of its residents.

34-1

There is no question in our minds that the above-named development project, currently under your consideration, would negatively impact our neighborhood and way of life by:

- Increasing to incredible levels the truck traffic during the two month grading period. This level congestion on streets designed for quiet residential living is obviously a potential danger and would ruin the serenity of the area.
- Endangering the health of all area residents due to the pollution, including dirt and dust, that will descend on us not only after the grading period, but for years thereafter, given that most of the individual houses in the development will require extensive grading
- Heightening the potential for landslides and erosion to occur on the unstable hillside. Having lived in the area for a long period, we are fully aware of the safety risk and financial fallout of any landslide. We were required by our homeowners association to pay a significant assessment to build a retaining wall on that hillside. It is possible that the development will cause landslides to occur, no matter if further retaining walls are built.

34-2

34-3

34-4

Finally, the overall size, scope and duration of this project indicates an utter disregard for the way of life we have enjoyed as residents. We respectfully ask that you deny further consideration of this development project for the good of this community.

34-5

Sincerely,



Patricia & Robert Velarde
 1575 Ascension Drive
 San Mateo, CA 94402

Response to Comment Letter 34
Patricia and Robert VelardeResponse 34-1

This comment introduces ensuing comments, which are addressed in Responses to Comments 34-2 through 34-5, below.

Response 34-2

Regarding the commenter's concerns about truck traffic during construction and the associated adverse traffic safety and noise impacts, refer to Topical Response 7, Construction Traffic Impacts, and Topical Response 8, Construction and Operational Noise Impacts.

Response 34-3

Regarding the commenter's concerns about health risk and dust during the construction phase, refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction. Regarding the comment that most of the individual homes in the development will require extensive grading, refer to Topical Response 6, Construction Phasing and Schedule. The majority of the grading for the proposed project would occur within the first phase of the project.

Response 34-4

Refer to Topical Response 2, Landslides and Slope Instability regarding the comment that the project would heighten the potential for landslides. With respect to potential erosion impacts from the project, refer to Topical Response 9, Erosion Impacts.

Response 34-5

This comment expresses an opinion about the project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

From: "Michele Tomas" <mtomas@gmail.com>
To: <rfernandez@co.sanmateo.ca.us>
Date: 9/8/2009 11:28 PM
Subject: For Wednesday's Meeting - File No. PLN2002-00517, Bel Aire and Ascension Drive, San Mateo Development Project

September 8, 2009

Subject: File No. PLN2002-00517, Bel Aire and Ascension Drive, San Mateo Development Project

Attn: San Mateo County Planning Commission

I am writing to express my opposition to the "Water Tank Hill" project for the construction of 25 homes located at Bel Aire Road in San Mateo.

35-1

A project of this size, as described in the environmental impact report, will create severe, adverse health effects to the surrounding community of young families and senior citizens. As indicated in the report, air quality will be compromised due to on-going grading and repair work that is needed to repair the hillside, which is already prone to erosion and landslides. The report provides little alternatives or recommendations that address or mitigate these issues and it is a problem that should not be overlooked.

35-2

In addition, having worked in the field of combustion control technology for over nine years, I am intimately aware of the health effects associated with particulate matter (PM) and exhaust from mobile sources. The Bay Area Air Quality Management District is consistently working to protect and improve our air quality however, this project will do little to uphold their mission. Moreover, it will benefit few and harm many.

35-3

In closing, I strongly encourage that the planning commission reject this project. As a resident, I hope to continue to walk and jog without having to worry about inadequate air quality for my family, my neighbors and myself.

35-4

Sincerely,

Michele Tomas
 1492 Ascension Drive
 San Mateo, CA

Response to Comment Letter 35**Michele Tomas**Response 35-1

This comment introduces ensuing comments, which are addressed in Responses to Comments 35-2 through 35-4, below.

Response 35-2

Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction regarding the comment that the project would create severe, adverse health impacts. Refer to Topical Response 9, Erosion Impacts regarding the comment that the site is already prone to erosion. Refer to Topical Response 2, Landslides and Slope Instability regarding the comment that the site is prone to landslides.

Response 35-3

Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction regarding the comment about particulate matter and mobile source exhaust impacts of the project.

Response 35-4

This comment expresses an opinion about the project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Gordy and Pam Stroud

September 8, 2009

County of San Mateo Planning and Building Department
Attn: James A. Castaneda, Project Planner
455 County Center, 2nd Floor
Redwood City CA 94036-1662

Re: File #PLN2002-00517
Proposed Development

Dear Mr. Castaneda:

Enclosed is a drawing showing the existing area and the proposed development. As you can see, we live on one of the most affected sites. Although Dennis Thomas, the developer/applicant, has assured us verbally that nothing will change on the downhill (east) side of the existing pathway behind our home, the proposed drawings do not indicate that.

36-1

Is the county aware that previous developments adjacent to the property included 18 to 25 feet of open space between existing developed lots and newer ones? (See the blue areas on the drawing.) The proposed project drawings do not indicate any separation.

36-2

How is the county (or the developer/applicant) going to solve the problem of the downhill drainage caused by the severity of the existing slopes, which will be exacerbated by the proposed development?

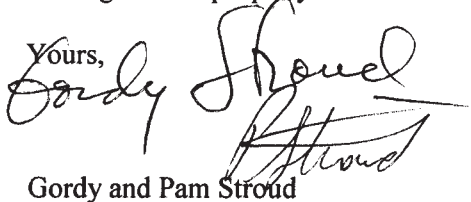
36-3

How is the county (or the developer/applicant) going to solve/mitigate the dust control problem, not only on the hill but on the surrounding streets which will be impacted by the construction, both short and long term?

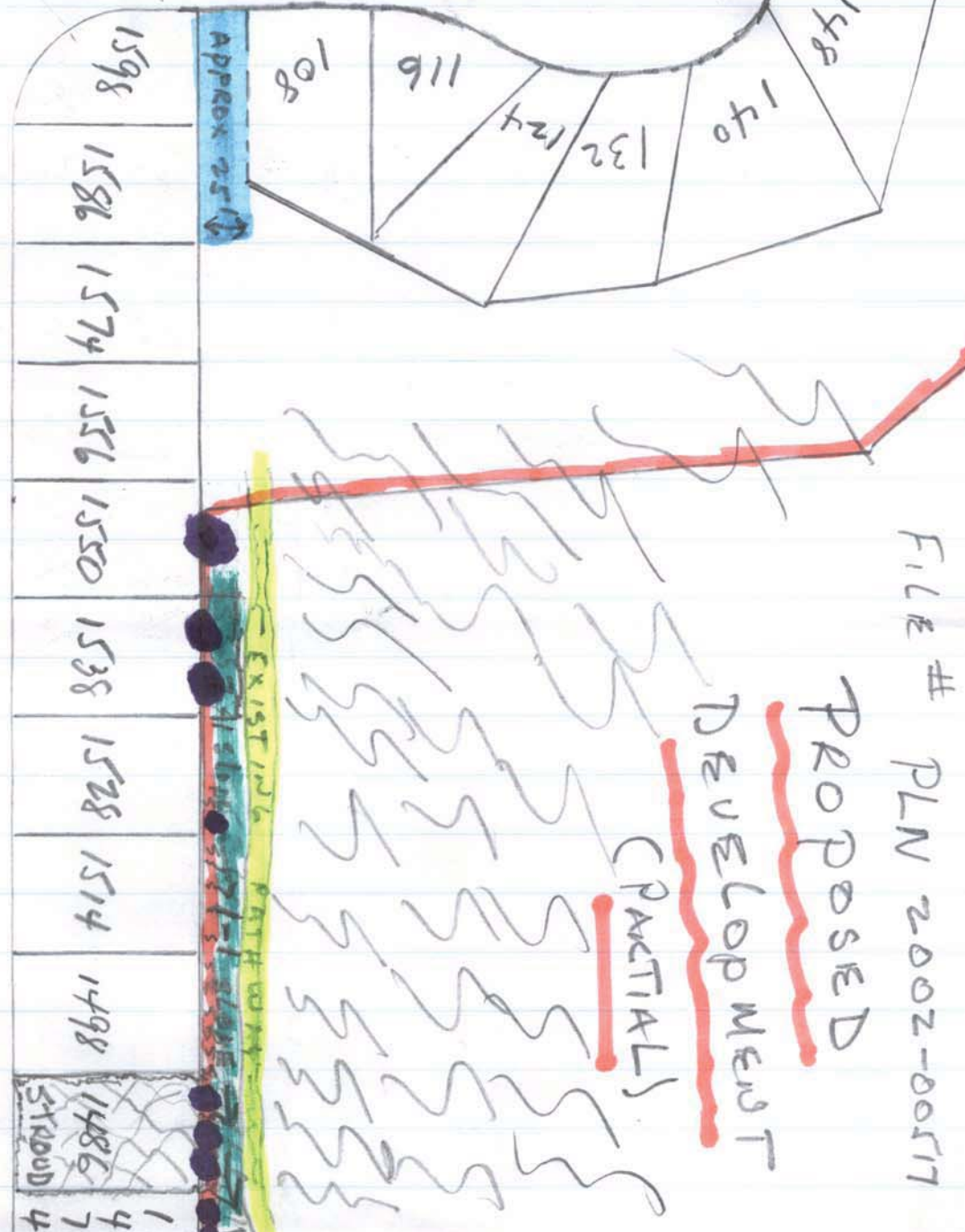
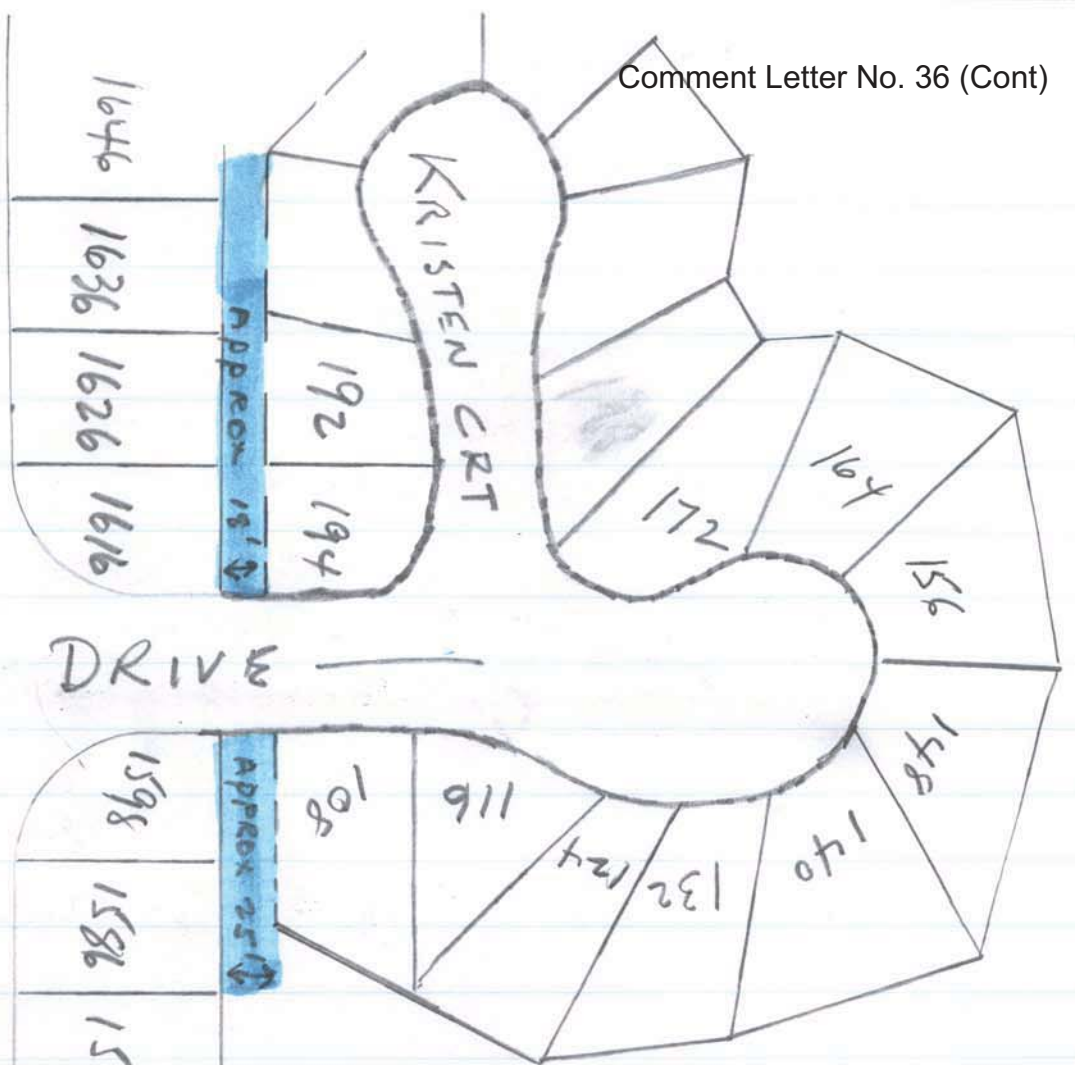
36-4

It is evident to us and the 7 adjacent neighbors on Parrott Drive that if the development is not done with the right sensitivities to the surrounding areas, these homes most directly affected will lose significant property value.

36-5

Yours,

Gordy and Pam Stroud

Cc: Baywood Park HOA
1450 Parrott Drive
1474 Parrott Drive
1498 Parrott Drive
1514 Parrott Drive
1528 Parrott Drive
1538 Parrott Drive
1550 Parrott Drive



FILE # PLN 2002-00517

PROPOSED
DEVELOPMENT

(PRACTICAL)

PARROTT DRIVE

DRIVE

= GAP/EASEMENT

= 1/1 TO 2/1 SLOPE

= LARGE TREES

= 1/1 TO 3/1 SLOPE

N.T.S.

See above
9/7/09

CSM

Response to Comment Letter 36
Gordy and Pam StroudResponse 36-1

This comment expresses an opinion about the project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 36-2

This comment expresses an opinion about the project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 36-3

Refer to Topical Response 9, Erosion Impacts, regarding the comment that about the site's downhill drainage.

Response 36-4

Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction, regarding the commenter's question as to how dust will be mitigated during project construction.

Response 36-5

Comment noted. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project. Regarding the assertion that the project will affect property values off-site, CEQA does not apply to economic and social effects. CEQA Guidelines § 15131, Public Resources Code § 21060.5.

Geraldine and Sandeep Pannu
1728 Parrott Drive, San Mateo, CA 94402
geraldineliu@yahoo.com

September 8, 2009

County of San Mateo, Planning and Building Department
Attn: James A. Castaneda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94036-1662

Dear Mr. Castaneda,

Our names are Geraldine and Sandeep Pannu, and we live on 1728 Parrott Drive, San Mateo. We are writing to express our concern and opposition to the proposed development of Water Tank Hill with the Ascension Heights Subdivision project for the following reasons:

37-1

- The proposed development will severely impact the natural and ecological environment of this neighborhood for years. It will create dust, traffic and noise pollution. We often see deer and other animals beyond our backyard and we will be very sad to see if our natural environment gets affected.

37-2

- Our neighborhood is highly residential. The nearby College of San Mateo has already added some unavoidable traffic to Parrott Drive and other roads. With this development, there will be even more trucks and buses on Parrott Drive and other roads. It will create much inconvenience and unsafe to the many families and children live here.

37-3

- The proposal of developing Water Tank Hill is also in conflict with goals 11-15 of San Mateo County's Shared Vision 2010.

37-4

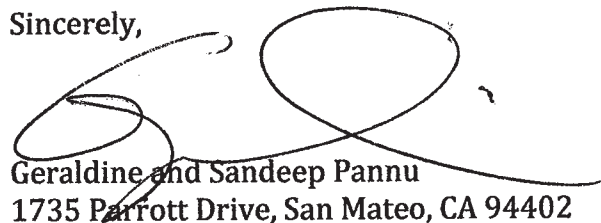
- Moreover, Highlands Elementary School is already seeing more demand than capacity. With more households in the neighborhood, the demand for schools will be even higher, adding burden to the current structure.

37-5

We will really appreciate if you and the government can carefully consider our concerns. Thank you very much for your time and effort.

37-6

Sincerely,



Geraldine and Sandeep Pannu
1735 Parrott Drive, San Mateo, CA 94402

Response to Comment Letter 37
Gerlaldine and Sandeep PunnuResponse 37-1

This comment contains general information on the commenter and introduces ensuing comments, which are addressed in Responses to Comments 37-2 through 37-6.

Response 37-2

Regarding the commenter's assertion that the project would severely impact the natural and ecological environment, refer to Section IV.C, Biological Resources, of the DEIR which concludes that biological resources impacts associated with the project would be less than significant after mitigation measures are implemented.

Regarding comments about the project creating dust, traffic and noise, refer to: Topical Response 1, Air Quality Impacts and Health Risk During Construction; Topical Response 7, Construction Traffic Impacts; and Topical Response 8, Construction and Operational Noise Impacts, respectively.

Response 37-3

Regarding traffic impacts during construction, refer to Topical Response 7, Construction Traffic Impacts. Refer to Section IV.I, Transportation/Traffic, of the DEIR for an analysis of the project's operational traffic impacts which were all found to be less than significant with the exception of road widths and road grades which were found to be **significant** but can be reduced to less-than-significant levels via implementation of Mitigation Measures TRANS-3 and TRANS-4 on pages IV.I-23 and IV.I-24 of the DEIR, respectively.

Response 37-4

Comment noted. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 37-5

The commenter expresses concern that the Highlands Elementary School is already seeing more demand than capacity. As discussed on page IV.H-25 and IV.H-26 of the DEIR, implementation of the proposed project would increase the demand for school services in the project area. The project would include 25 single-family homes, which would generate demand for public education services provided by the San Mateo-Foster City School District (SMFCSD) and the San Mateo Union High School District (SMUHSD).

The student generation rate used for the SMFCSD is 0.18 students per single-family home. Based on this generation rate of 0.18 students per single-family home multiplied by the 25 single-family homes proposed by the project, the proposed project is anticipated to demand approximately 5 elementary and middle school

aged students. There are no current plans for additions to the Highlands Elementary School or Borel Middle School. Both schools are currently at capacity. However, portable classrooms have been added, students are sometimes placed in schools outside of highly impacted areas, and additional capacity could be added through Measure C. Due to the small scale of the proposed project and the mandatory mitigation in the form of developer fees discussed below, it is unlikely that implementation of the proposed project would require the SMFCSD to construct new facilities or expand existing facilities to accommodate increased demand for school services.

The student generation rate used for the SMUHSD is one high-school aged student per household. Based on this generation rate of one high-school aged student per household multiplied by the 25 single-family homes proposed by the project, the proposed project is anticipated to demand approximately 25 high-school aged students. The SMUHSD does not plan to develop any new schools in the service area of the proposed project. However, as discussed previously, Aragon High School is currently undergoing modernization as a result of Measure M and the proposed project can be accommodated as enrollment is decreasing and the overall enrollment in the district is below SMUHSD capacity. Implementation of the proposed project would not require the SMUHSD to construct new facilities or expand existing facilities to accommodate increased demand for school services.

Furthermore, as mandated by State law, the project applicant would be required to pay \$2.97 (as of January 2008) or per square foot in developer fees to offset any impacts the project would have on both the SMFCSD and the SMUHSD. Therefore, impacts associated with school services would be ***less than significant*** and no mitigation measures are required.

Response 37-6

This comment provides a closing statement but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Mrs. George Kidera
1432 Bel Aire Rd.
San Mateo, CA 94402

Jean Kidera

From: "Jean Kidera" <jkidera@comcast.net>
To: <jcostaneda@co.sanmateo.ca.us>
Sent: Tuesday, September 08, 2009 12:19 PM
Subject: Fw: Proposed Ascension Heights Subdivision

(650)
341-0487

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

From: Jean Kidera

To: mchurch@co.sanmateo.ca.us ; cgroom@co.sanmateo.ca.us ; rgordon@co.sanmateo.ca.us

Sent: Tuesday, September 08, 2009 10:52 AM

Subject: Fw: Proposed Ascension Heights Subdivision

Notes regarding miscellaneous problems at 1432 Bel Aire Road, San Mateo CA 94402.

George and Jean Kidera took possession of this property on January 1, 1980. As we became acquainted with our next door neighbors, we learned that they had had problems with the settling of their homes. Since our house was already 20 years old, we weren't particularly concerned, as we thought that it had done all of the settling by this date. However, as time went by, we found that it would be necessary to have our house leveled. Just prior to the earthquake in 1989, deep soil samplings were made around our house, and it was determined that it would be necessary to have pilings down to bed rock, with cement pads on top of these pilings, which would mean that our home would be level, and would stay in place regardless of movement of the earth.

In 2008 we had stoops put in where the sliding doors opened to the lower brick patio.. This was necessary due to the fact that from 1989 (when the house was put on pilings down to bed rock) until 2008, nine years later, the ground had sunk a minimum of four inches, making it dangerous to exit the sliding glass doors.

In 1997 we had our property fenced because we no longer wished to feed the deer that wandered into the lower area. For safety purposes we had two gates installed so that in case of fire a trapped person could escape. For the last seven or eight years the latches on the gates have been unusable because of the continual slippage of the soil. We now must tie the gates to the rigid posts with coated wire with easily removable knots.

The cement floors in the basement and garage continue to crack. However, the rest of the house appears to be solid because of resting (for lack of a better word) on bed rock.

As you all know, these hills are filled with underground streams. We hired a dowser to evaluate where we could put in pumps if we ever wanted to use that water for irrigation. Two holes were dug, and I used to let down a yardstick to which I had tied some string so that I could measure how much the amount of water varied in depth. (At this writing, the two holes have been covered over so that soil wouldn't get into the pipes), So, we know that there really is water in these hills.

The point of what I have written above is, "Let the buyer beware!"

I have many general questions regarding the proposed Ascension Heights Subdivision.

How many, if any, studies have been made regarding water, as well as soil movement in this area? The appropriate studies should also take under consideration that in spite of drought conditions in recent years, we could have problems if we did have a lot of rain. Has that subject been appropriately addressed regarding proper drainage in this project? With many cars parked on the main street, water could be diverted to flow in strange patterns - not necessarily down the gutter. Even with trees and ground cover, we have experienced flooding situations on our hill.

38-1

38-2

Comment Letter No. 38 (Cont)

Has anyone contacted the fire department regarding the proposed access road(s) as currently planned? Is it (are they) adequate in case of any emergency necessitating evacuation of all or most of the homes? I can remember there were real problems with narrow winding roads during the Oakland hills fires.

38-3

There is a fire hydrant on the sidewalk in front of our property. If there were a fire emergency in our general area, how could it be used by the fire department if there were large trucks hauling dirt on a regular basis along Bel Aire Road, as well as chugging around Laurie Lane, trying to get on to Parrott?

General Traffic Problems, Especially During Construction

Has anyone with some authority at CSM been contacted regarding how the school would be affected by this project? What about traffic during school hours?

38-4

Across the street from 1432 and 1426 Bel Aire Road at the base of a telephone pole, are two boxes identified as belonging to AT&T and I would think that they should be contacted regarding this situation. Trucks are frequently parked there while the workers are making adjustments, and would be in the way of the large dump trucks getting up steam to get around the corner, going uphill to Laurie Lane. Recently a Comcast worker had to climb up the telephone pole, and his truck was parked nearby.

38-5

Not far from that area (on Bel Aire Road) are two manhole covers which I recently learned is a place where sewage from Parrott residences goes on its way to an area containing another two manhole covers located about half way down the hill on our property. Occasionally it is necessary for the County people (in their orange coveralls) to block off that part of the street in order to make repairs. This past week they were here on three different days, because I saw a lot of liquid pouring out of one of the covers, running farther down the hill. I think that some tree roots had to be cleaned out at that time. When we bought the house in 1980, we were told that there was an easement connecting these various manhole covers, but we wanted to buy the house, even with the easement. We haven't had to do any work regarding sewer problems, except for calling the main office to have someone come out to fix the problems. However, this could be quite a "situation" with large trucks trying to go up and down the street.

38-6

And what happens when one or more of the residents want to have a meeting, luncheon, etc., or when overnight guests from out of town need to park their cars on the street? What about trash days when other large trucks must share the same street space? I haven't gone out to measure the width of the street, but it might be interesting to get some actual vehicles in the area to see just how much room would be available for the trucks, especially when they want to pass each other or maneuver the curve up the Laurie Lane hill. The low brick walls in front of our property have been hit at least twice by drivers who missed the turn.

If it was decided to have the trucks go on Bel Aire Road, I might suggest having a certain phone that people could call just prior to wanting to enter or exit their driveways. By doing that, someone could come down to direct or hold traffic while the residents are maneuvering their cars in and out of their garages. I have enough trouble now, as it is difficult to see the cars that are coming up the hill when I am backing out of my driveway.

38-7

I would be in favor of having a trial run of a couple of trucks on the proposed route, preferably with the suggested load, and with traffic going both directions.

Some Odds and Ends

Has anyone tested what changes might occur with the transmission of cell phone signals in connection with the "towers" that are currently on the top of the hill? Would the houses and added retaining walls make any changes in reception in either direction? I am aware that certain high tension wires can lead to interference with radios, etc.

38-8

How would the many wild animals living on the hill be affected both during construction as well as after completion of this project? In our yard we have seen many varieties of birds, deer, rabbits, possums, raccoons, squirrels, snakes, skunks (smelled). Will they completely leave the area due to noise and pollution?

38-9

Comment Letter No. 38 (Cont)

Would the new residents in the project be aware of how windy that area can be?

☐ 38-10

I am sure that when all of the neighbors bought homes around what is commonly known as "Water Tower Hill", we thought that we would be enjoying a country type existence in San Mateo County for many years to come. Please think very carefully before you destroy our dreams of the future.

☐ 38-11

Response to Comment Letter 38**Jean Kidera**Response 38-1

Refer to Topical Response 2, Landslides and Slope Instability. Regarding the comment about deer in the neighborhood, refer to Section IV.C, Biological Resources, of the DEIR which concludes that biological resources impacts associated with the project would be less than significant after mitigation measures are implemented.

Page IV.D-7 of the DEIR describes that free groundwater was not encountered in any of the test borings. However, moisture was noticed in Test Boring Number 7 at a depth of about 12 feet. Further, during the geotechnical site analysis, the depth to the groundwater table was not determined; however, it was expected to be relatively deep, reflect the surface topography, and to fluctuate with precipitation. Groundwater levels tend to fluctuate seasonally and could rise to depths explored in the future. Shallow, seasonal "perched" groundwater sometimes occurs in the topsoil layer when the soil is underlain by dense, less pervious, bedrock. M&A observed groundwater seepage from the base of weathered rock and above the less pervious rock along Ascension Drive. A portion of M&A's field investigation was conducted shortly following a rainfall period of approximately 2 days with precipitation on the order to 2 to 3 inches. During this investigation M&A observed active seepage of water from the toe of the cut slope adjacent to Ascension Drive and from the base of the weathered rock horizon (overlying less weathered rock) 1 to 2 feet below the ground surface. Per M&A, erosion occurs primarily within this zone, and that groundwater, except possibly as relatively slow seepage, does not penetrate to greater depth. Also, refer to Topical Response 9, Erosion Impacts.

Regarding project impacts associated with underground water, refer to Topical Response 2, Landslides and Slope Instability. Provided the required mitigation measures listed in Topical Response 2 (also listed on page IV.D-23 of the DEIR) are adequately implemented and monitored, no significant landslide and slope instability impacts would occur.

Response 38-2

Refer to Response to Comment 38-1. Regarding flooding impacts associated with the project, refer to Section IV.E, Hydrology & Water Quality, of the DEIR, specifically page IV.E-12 which states that the site is located outside of the 100- and 500- year floodplain.

Response 38-3

Refer to Section IV. H.2, Fire Protection, of the DEIR for an analysis of the project's Fire Protection impacts. Refer to Topical Response 7, Construction Traffic Impacts regarding fire department access during project construction.

Response 38-4

The DEIR was made available to various public agencies, citizen groups, and interested individuals for an 80-day public review period from June 22, 2009 through September 9, 2009. The DEIR was circulated to state agencies for review through the State Clearinghouse of the Governor's Office of Planning and Research. Copies of a Notice of Availability (NOA) of the DEIR were also sent to citizens surrounding the project site, interested groups and agencies.

The traffic analysis was performed through the use of established traffic engineering techniques and in accordance with the standards and methodologies set forth by the County for traffic studies. The data required for the analysis was obtained from new 24-hour daily traffic counts, previous traffic studies (including numbers recorded in 2003), the City/County Association of Governments (C/CAG) Travel Demand Forecasting Model and the Traffic Infusion on Residential Environments (TIRE) index.

Since the proposed project would add less than 100 peak hour trips to regional roads, no analysis under the Congestion Management Program (CMP) is required. Additionally, the CMP guidelines specify that a project must implement travel demand management (TDM) measures if the project produces 100 or more new peak hour trips on CMP roadways. Further, the analysis of project traffic on CMP roadway facilities indicates that the proposed project would add approximately 19 trips to State Route 92 (SR 92) during the AM peak hour and approximately 25 trips during the PM peak hour. Therefore this project is not required to implement any TDM measures.

Traffic conditions on local roadway segments were analyzed for 24-hours and for the weekday AM and PM peak hours of traffic. The AM peak hour of traffic is generally between 7:00 and 9:00 AM, and the PM during these periods that the most congested traffic conditions occur on an average day. The roadway segments impacts were analyzed by comparing the volume to capacity (V/C) ratios.

The project would generate approximately 239 vehicle trips. Project conditions were defined as background conditions (2008) with the addition of traffic generated by the proposed project at 4.5 - 5 year build-out (2013). The Near-Term (2013) project traffic volumes are shown in Figure IV.I-4 of the DEIR. Traffic conditions at the study roadway segments were evaluated using V/C. The roadway segments V/C for the Near-Term (2013) project conditions are summarized in Table IV.I-4 of the DEIR. The results show that traffic increase on the all study roadway segments would be less than significant, as the increase would not exceed the capacity of the particular roadway segment. Therefore, no mitigation measures are required.

Response 38-5

Refer to Topical Response 7, Construction Traffic Impacts regarding AT&T and Comcast access during project construction.

Response 38-6

Refer to Topical Response 7, Construction Traffic Impacts regarding County employee access during project construction.

Response 38-7

Refer to Topical Response 7, Construction Traffic Impacts. The commenter's recommendation of having a trial run of haul trucks on the proposed route will be forwarded to the decision-making bodies in their review of the project.

Response 38-8

Pacific Gas & Electric (PG&E) would provide electrical and natural gas services to the proposed project via an underground distribution system. Given that the cell phone transmitter site would be at a higher elevation than the proposed homes, no interference with the transmission of cell phone signals is anticipated.

Response 38-9

This comment expresses concern about the project's impact on common wildlife species that occur in the area. Refer to Response to Comment 8-3.

Response 38-10

Regarding the commenter's question as to whether new residents are aware of how windy the project area can be, page IV.A-2 of the DEIR states that the annual average wind speeds range from about 5 to 15 miles per hour along the Peninsula with higher wind speeds along the coast, ridgetops and through gaps in the coastal hills. Wind monitoring data recorded in the City of San Carlos indicates the wind speed averages approximately 5 miles per hour during the early morning (from 4:00 AM to 5:00 AM) and approximately 10 miles per hour during the afternoon (from 4:00 PM to 5:00 PM). Stronger and gustier winds are common at the project site, which lies at the top of a hill.

Response 38-11

Comment noted. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

James Castaneda - Proposed Ascension Heights Subdivision Questions and Statement

From: "zhong wendy" <wendyzhong@yahoo.com>
To: <jcastaneda@co.sanmateo.ca.us>
Date: 9/9/2009 16:29
Subject: Proposed Ascension Heights Subdivision Questions and Statement

James Castaneda and the San Mateo County Planning Commission,

I am extremely concerned about the proposed Ascension Heights subdivision project and the serious threats the project presents to the health of my family. I am a mother of a 3 years old boy. We live on Los Altos Drive in the San Mateo Oaks neighborhood— extremely close to proposed project site. There are more than 20 children just on our street. If this project proceeds as planned, my son and the other children in the neighborhood will face serious health hazardous.

39-1

The dirt, dust and diesel exhaust due to the intensive grading alone will cause huge pollution. It is very windy here so our neighborhood will be covered in pollution. This site <http://www.arb.ca.gov/research/diesel/diesel-health.htm> describes the health impact by diesel exhaustion alone. The most vulnerable are children.

I am also extremely concerned about the truck traffic on the neighborhood streets. My son bikes and scoots in the neighborhood. I think it is important for him to have the freedom to play on the streets with the kids in the neighborhood. The truck traffic will be serious safety threats to the children playing on the streets.

39-2

The project will take almost 5 years long. My son is 3 years old now. He will be grown up and occupied by studies in another 10 years. I can't imagine, for a half of his childhood, he will lose the opportunity playing on the streets, due to this proposed project.

In conclusion, I am firmly opposed to the proposed project. It is a clear serious threat to the health of my child and all children in the existing neighborhoods. I would like to go on record with my opposition and stress the urgency of these matters to the Planning Commission in their consideration.

39-3

Sincerely,
Wendy Zhong
1766 Los Altos Dr
San Mateo, CA 94402
650-619-1819

Response to Comment Letter 39

Wendy Zhong

Response 39-1

Regarding the commenter's concern about , health risk, dirt, dust and diesel during project construction, refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction.

Response 39-2

Refer to Topical Response 7, Construction Traffic Impacts regarding the commenter's concerns about truck traffic on neighborhood streets.

Response 39-3

Refer to Response to Comment 39-1 regarding threats to health from the project. This comment expresses an opinion about the project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

From: "Norman, Andrew" <Andrew_Norman@intuit.com>
To: <jcastaneda@co.sanmateo.ca.us>
Date: 9/9/2009 14:00
Subject: concern regarding the planned Ascension Heights Subdivision Environmental Impact doc

San Mateo Planning Commission,

I have a concern regarding an omission in the environmental impact document for the planned Ascension Heights subdivision. The part of the document accessing the air quality risks of the hill grading Didn't address the possible risk of airborne asbestos created from the excavation of rock containing natural asbestos. The nearby water pipe upgrade project at the bottom of the hill on Polhemous road (which involves only extracting a third of the amount of rock and soil from the ground that the Ascension Heights project has planned for road grading) takes measures for testing the removed rock and soil for asbestos and minimizing the amount of airborne particles at the dig site. This is good because the testing at the site did find rock containing asbestos. The environmental document for the Ascension Heights subdivision did not site this as a risk. What is the reasoning behind not listing it as a threat in possible contamination of the nearby air if the Polhemous pipe construction has encountered positive tests for asbestos? Is this an oversight of the environmental impact document?

40-1

Sincerely,

Andrew Norman
1671 Ascension Dr
San Mateo, CA 94402

Response to Comment Letter 40**Andrew Norman**Response 40-1

Naturally occurring asbestos, which includes the serpentine mineral chrysotile, can be a health risk when airborne dust is inhaled. The geotechnical studies conducted for the proposed project did not indicate the presence of serpentine minerals at the project site. In addition, a statewide map prepared by the California Department of Conservation identifying the general location for ultramafic rocks in California was reviewed. Areas with ultramafic rocks are more likely to contain naturally occurring asbestos. Although the state map shows that naturally occurring asbestos may be present near the site, the project site does not appear to be within an area with ultramafic rocks.

However, as a protective measure, the following mitigation has been added to Mitigation Measure AQ-1 on page IV.B-22 of the DEIR:

“Naturally Occurring Asbestos

Additional soil samples at the project site shall be obtained and tested for the presence of naturally occurring asbestos by a state certified testing laboratory in accordance with requirements of the CARB and the BAAQMD and the results shall be provided to the County Planning and Building Department.

If naturally occurring asbestos is identified at the site, a site health and safety (H&S) plan including methods for control of airborne dust shall be prepared that shall control dust generating excavation and compaction of material containing naturally occurring asbestos. Methods to control naturally occurring asbestos dust shall include those indicated in OPR’s CEQA and Asbestos: Addressing Naturally Occurring Asbestos in CEQA Documents, Appendix 2. These include:

- Water wetting and/or chemical sealant application
- Excavation only during calm periods
- Rinsing of vehicles and equipment
- Covering loads of excavated material
- Vegetative reclamation
- Asphalt cement paving”

James Castaneda - Proposed Ascension Heights Subdivision

From: "Carrie Cavigioli" <lcarrie@attglobal.net>
To: <jcastaneda@co.sanmateo.ca.us>
Date: 9/9/2009 17:06
Subject: Proposed Ascension Heights Subdivision

James Castaneda and the San Mateo County Planning Commission,

My husband and I are strongly against the development of the proposed Ascension Heights subdivision project. We are especially concern about the health threats the project presents to our family.

The EIR states that there will be "significant and unavoidable impact to air quality during the construction and grading phase". The dirt, dust and diesel exhaust due to the intensive grading will cause huge pollution on top of the noise and traffic inconvenience to the community.

We live on Lakeshore Drive – very close to proposed project site. We have a 3 year old and there are more than 10 children under age 12 on our street alone. If this project proceeds as planned, my son and the other children in the neighborhood will face serious health hazardous.

I would like to go on record with my opposition and stress the urgency of these matters to the Planning Commission in their consideration.

Sincerely,
Carrie Cavigioli
148 Lakeshore Drive
San Mateo, CA 94402
650-6381110

41-1

Response to Comment Letter 41
Carrie CavigioliResponse 41-1

Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction regarding the commenter's concern about health threats from the project. Refer to Topical Response 8, Construction and Operational Noise Impacts, regarding the comment about noise impacts, and Topical Response 7, Construction Traffic Impacts, about traffic impacts to the community. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

James Castaneda - Ascension Heights Subdivision

From: <tiresimpor@aol.com>
To: <JCastaneda@co.sanmateo.ca.us>
Date: 9/9/2009 15:37
Subject: Ascension Heights Subdivision
CC: <Tires94030@aol.com>, <dave.haw@mountainview.gov>

Mr Castaneda,

I would like to add my comments to those you have already. I am opposed to the planned development of this "Hill", in the 25 years I've lived on Enchanted Way I've witnessed the disintegration of a concrete culvert and watched as the hill has eroded away. The plans to truck in massive loads of earth to re-inforce the hill and to create space is an enormous impact to the lives and health of those who live here already.

The fact that this project cannot proceed without massive earth movement and compaction cannot be dismissed as being a normal construction inconvenience. The builders are trying to stabilize an area that is inherently unstable. Our homes exhibit earth movement, the recent (geologically speaking) collapse of Polhemus Road and the county financed earth stabilization work done on Starlite Drive are more examples of the inherent instability of the area.

I live on Enchanted Way and our driveway has sunk over 2 inches and the street curb has begun exhibiting curvatures that are visible to the naked eye. When we first moved in our geologist pointed out how straight the curblines were, today there are cracks in the roadway, cracks in our driveway, shifts of sidewalks. I can't imagine the impact of a 40,000 ton dirt hauler on the roads in our area. The project estimates of 39 days is probably optimistic. With a planned project life of 4 years before all phases are completed means the neighborhood will be drastically impacted not only by the construction traffic but those of workers and delivery vehicle traffic.

My greatest concerns are for the possible landslides that can occur during this project. The DEIR suggests that this construction is feasible but is it necessary and is this location really the right place. How stable is the sandstone of this hill for this project. Will the county be held accountable for future damages to existing property owners? I would hold the county as a responsible party. Discounting the "nimby attitudes", I don't think this is a needed project.

Thank you for your consideration.

Sincerely, Dave Haw
 1428 Enchanted Way, San Mateo, CA 94402

42-1

42-2

42-3

Response to Comment Letter 42**Dave Haw**Response 42-1

Refer to Topical Response 9, Erosion Impacts, regarding the comment about the disintegration of the culvert and hillside erosion. Refer to Topical Response 7, Construction Traffic Impacts, regarding the comment about plans to truck massive loads of earth, and refer to Topical Response 2, Landslides and Slope Instability, regarding concerns about earth movement associated with the project. Also, refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction, regarding the comment about the project resulting in an enormous impact to the lives and health of those who live in the project area already.

Response 42-2

Refer to Topical Response 7, Construction Traffic Impacts, with respect to concerns raised by the commenter about the impact of a 40,000 ton dirt hauler on the roads in the area and construction traffic impacts. Also, refer to Topical Response 6, Construction Phasing and Schedule, regarding the length of the project's construction phase.

Response 42-3

Refer to Topical Response 2, Landslides and Slope Instability regarding the commenter's greatest concern related to landslides at the project site.

COMMENTS ON THE
DRAFT ENVIRONMENTAL IMPACT REPORT

ASCENSION HEIGHTS SUBDIVISION PROJECT
PLN2002 - 00517
SCH #2003102061

September 9, 2009

Submitted by:
Baywood Park Homeowners Association

EXECUTIVE SUMMARY

The Ascension Heights Subdivision Project DEIR is substantially inadequate in nearly every section. This precludes the public from making an informed decision.

Examples follow (there are many more included in this document):

Grading estimates have been made only for the initial phase, with no estimates for individual lots, which due to the steepness of the terrain will require extensive grading themselves. As a result, the PM and NOx estimates, noise estimates, and truck traffic estimates have all been understated.

The traffic study does not include the intersection of CSM Drive and Hillsdale, through which 1000s of College of San Mateo students drive every day. At peak times, traffic is backed up from that intersection to Highway 92. On Wednesdays, the Farmers' Market brings 100s of additional cars to the lower parking lot near the intersection of CSM Drive and Parrott. Because of these omissions, the traffic study has dramatically underestimated the impact on CSM Drive and Hillsdale.

Health impacts from the estimated pollution have been largely ignored. Numerous recent scientific, peer-reviewed studies describe immediate health impacts and risk to life from pollution levels much lower than those proposed by this project.

None of the proposed alternatives has been described quantitatively in terms of any of the dimensions demanded by CEQA and the DEIR process. Even if one of the alternatives appeared reasonable, we have no data upon which to base such a judgment.

Multiple lots have graded slopes steeper than 2:1 (horizontal: vertical), up to 1.5:1 across individual lots—which is "not consistent with new building pad construction generally accepted within the Bay Area." (See Attached: *Ted Sayre, Cotton, Shires and Assoc., July 2009*)

As a result of **incomplete and absent disclosures, unsubstantiated conclusions, avoidance of obvious mitigation measures, project instability and lack of definitive project descriptions, and serious risk to health and lives of the public** detailed in this Comment document, the DEIR must be determined to be inadequate for making informed decisions by either the public or responsible Agencies. To remedy these severe deficiencies, we believe the draft EIR must be Revised and Recirculated in its entirety. We request greater public involvement in the process to ensure the Planning Commission will have the information it requires to make a fully informed decision regarding the project.

43-1

*Comments on DEIR: Ascension Hts Subdivision
Baywood Park Homeowners Assoc
September 9, 2009*

September 9, 2009

TO: San Mateo County Planning Commission
Mr. William Wong, 1st District
Mr. David Bomberger, 2nd District
Mr. Chris Ranken, Chairperson 3rd District
Ms. Gail Slocum, 4th District
Mr. Steve Dworetzky, 5th District

Lisa Grote, Community Development Director, County Planning and Building
James A. Castañeda, Planner II, Planning & Building Division

FR: Baywood Park Homeowners Association

RE: Comments on the DEIR for Ascension Heights Subdivision, SCH #2003102061

The following represent area community comments and provide factual data for our request to the Planning Commission to Revise and Recirculate the DEIR, Ascension Heights Subdivision Project.

43-2

Thank you,

Gerard M. Ozanne, MD
President,
Baywood Park Homeowners Association

CC:
Baywood Plaza Community Association
Highlands Community Association
San Mateo Oaks
Ticonderoga Homeowners Association
Polhemus Heights Community Association

SPECIFIC COMMENTS

Recirculation of DEIR: There are serious deficiencies in the Ascension Heights Subdivision Project DEIR that will impact community health, safety and quality of life and preclude meaningful evaluation of the proposal and the alternatives. Critical information negatively impacting the lives of those living in the neighborhood has been omitted from the DEIR. Because of the **scientifically proven risk to life** that will result from this project, the communities directly impacted and their experts must be permitted to fully evaluate all subsequent information, assessments and proposed mitigations through a Revised and Recirculated DEIR process.

43-3

SECTION I

DEIR inadequacy includes the lack of project description information depriving the public of a " meaningful opportunity to comment upon a substantial adverse environmental effect of the project". (2009 CEQA Guidelines 15088.5)

1) Calculation of Total Amount of Grading and Soil Transfers

The site is 13.25 acres with slopes averaging 40% with sections as steep as 70%. The DEIR calculates the grading amounts for the access roads and overall rough grading of the site (figure III-18). This grading is estimated to be 131,480 cy during an initial period of 34 to 44 days. Employing 20 cy trucks and 6000 one-way trips, 61,000 cy will be exported from the site along narrow residential streets, tight corners and many parked cars.

43-4

Any project this massive, placed in the midst of a mature neighborhood, will cause many severe impacts. One of the most excessive components is the tremendous amount of grading and soil to be transported along residential streets. However, even with this disclosed grading, major grading elements have been ignored in the DEIR. In particular, missing are quantitative estimates for the six months of grading for the surface streets, house footprints and off-haul volumes for up-slope house pads. These additional amounts need to be included in all EIR analyses. (See Attached: *Ted Sayre, Cotton, Shires and Assoc., July 2009*)

2) Proposed Conservation Areas

The project description (on page III-25) indicates that the 0.45-acre area at the corner of Bel Aire and Ascension Roads with severe erosion would be "undisturbed and protected" and will not be repaired.

"A 0.45-acre (19,602-square foot [sf]) proposed undisturbed and protected area would be included within the southwest corner of the project site. This area would be maintained through the implementation of a conservation easement. As part of the proposed project, the existing on-site drainage improvements within this area

43-5

*Comments on DEIR: Ascension Hts Subdivision
Baywood Park Homeowners Assoc
September 9, 2009*

will be removed. This area would be the responsibility of the HOA with regards to maintenance. A formal agreement would be determined at a later date." (III-25)

The hydrology analysis (page IV.E-10) states "the project site currently has extensive soil erosion on portions of the site. This surface erosion is proposed to be repaired as part of the project." This is in conflict with the project description. This area has severe, long-term erosion (see figure III-7 B.) and must be reconstructed and landscaped as part of the project.

The project includes landscaping of the conservation area (Lot "A") and the DEIR assumes that it will be drought-tolerant native vegetation to restore the area to a natural habitat. Where is the commitment to this? How will it occur?

These open areas are to be placed in a conservation easement. Who will hold that easement and pay for repair and maintenance? What responsibilities will be incumbent upon the holder? The proposed conservation area contains substantial amounts of erosion with no commitment or plans for repair in the DEIR.

3) Proposed Houses

Subdivided, single-family homes to be built are not described. This subdivision is the discretionary permit that would allow a conforming single-family home to be built on each new parcel. This DEIR should analyze the effects of these houses. If the developer is not able to provide information or assumptions of the size and number of stories for these homes, the DEIR should assume the maximum size that could be built on the lots, using the zoning setbacks and 3-story home heights.

4) Project Phasing

The DEIR states that initial rough grading of the site will last 34-44 days, followed by a 6-month period to construct the private street. It estimates home build-out to be an additional 4-5 years. Until home construction is completed, the lack of replanting and landscaping will allow erosion of exposed sand stone, excess surface water drainage, and dust pollution. Despite the excessively prolonged construction phase of 4-5 years, the DEIR does not insure a timely completion of the project to avoid further delays between the site preparation and home construction.

5) Construction Hours

Both the visual (page IV.A-27) and noise (page IV.G-13) analyses state that the construction work will occur between 8:00 and 4:30, with export truck traffic limited to 10:00 to 3:00. However, the air quality analysis (page IV.B-19) states that the "hauling of export soil during the grading phase...would be limited to no longer than 11 hours per day." Which is correct? How will construction hour limits be ensured?

6) Maintenance of Continuous Deflective Separation Treatment Devices

Maintenance will be required of the storm water pollutant removal system. There is no mechanism in the DEIR to ensure adoption of the necessary maintenance. The DEIR

43-5

43-6

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43-9

(page III-36) states the CDS in the storm water system will be installed to remove pollutants and that "CDS requires a regular maintenance schedule to perform properly; it is anticipated that any Covenants, Conditions and Restrictions (CC&Rs) for the development will require a CDS maintenance agreement. The DEIR relies on this "anticipation" in its impact analysis. How will this "anticipation" become a "requirement" so that the impacts described in the DEIR are accurate?

43-9

7) Light Pollution at Site.

According the DEIR (IVA-27), "short-term light and glare impacts associated with construction activities would likely be limited to nighttime lighting (for security purposes) in the evening hours. ... Residential uses adjacent to the site may be impacted as a result of nighttime security lighting used during construction activities." The construction activities will persist for 4-5 years and impart yet another potential annoyance. Mitigation should be readily managed by consultation with impacted residents.

43-10

SECTION II

DEIR inadequacy involves the resource impact analyses, which are substantially "inadequate and conclusory in nature that meaningful public review and comment were precluded" (2009 CEQA Guidelines 15088.5).

8) Air Quality

Any effort to grade, cut, fill and transport a large volume of soil would create air quality challenges. However, as determined in the DEIR the enormous magnitude of this proposed project creates air pollution exceeding any safe or reasonable level. The air quality impacts are determined to be **significant and unavoidable**. During the grading phase:

PM10 emissions exceed BAAQMD Operational Threshold by 800%.

Daily NO_x emissions are 2.2 times the Operational Threshold during grading, and with mitigation will exceed the threshold.

Toxic Air Contaminants (TAC) exceed standards.

Essential elements excluded from the Air Quality analyses are:

Assumptions, justifications and expertise used to build the URBEMIS2007 model for predicting emission data (e.g., numbers of simultaneously operating equipment, age of diesel engines, type of fuel, exhaust catalyst, etc.)

Since applicant will not acknowledge the need for mitigation measures (IV.B-20), did the URBEMIS model contain no mitigation measures to accurately reflect the conditions on the construction site?

Projected dust volume deposited on houses and yards as function of distance from the construction site and off-site hauling route. Will applicant clean and remove dust from affected residences?

Meteorological modeling to estimate the local dispersion of particulates (dust, PM10 and PM2.5) and gases under the true range of conditions—westerly winds, no wind and easterly winds.

The excessive amounts of dangerous air contaminants mandates continuous, on-site monitoring by an entity independent of the applicant.

Air quality analyses must be calculated for all phases of the construction.

To permit meaningful comparison among Alternatives, air quality analyses must also be conducted for each Alternative.

Regardless of the large mass of estimated emissions, the impact on health is determined by the cumulative exposure to concentrations of toxic materials. No estimated concentration levels have been provided in the DEIR, although it was requested in the Dec. 2003 Scoping Meeting.

Finally, the applicant does not acknowledge the need to mitigate the air quality contamination he is proposing to impose on the neighborhood. **"At this time, the standard BAAQMD control measures have not been incorporated into the project,**

43-11

nor has the project applicant acknowledged that these measures would be implemented." Page IV.B-20)

43-11

9) Health Risk Analysis.

Health risks of short-term (24 hours) exposure to air pollution are not addressed, although the risks were detailed in the last community scoping comments on December 4, 2003 for this DEIR. The levels of PM10 and PM2.5 emissions are sufficiently high to become a direct and immediate risk to the lives of people in the neighborhood and must be adequately evaluated and mitigated for the proposed plan as well as all Alternatives.

The preponderance of evidence demonstrating **immediate death, heart attack, stroke, asthma and COPD exacerbation increase immediately following short-term exposure (24 hours) of PM10 and PM2.5 contaminations.** This evidence has grown substantially with over 100 peer-reviewed, scientific studies demonstrating proximate (within 24-48hr) mortality and severe morbidities directly related to increased particle contamination, specifically PM10 and PM2.5. The adverse effects are cumulative and therefore proportional to both the concentration of contaminants and duration of exposure.

The American Lung Association states (website, 2009): According to the findings from some of the latest studies, **short-term** increases in particle pollution have been linked to:

- i. death from respiratory and cardiovascular causes, including strokes;^{21, 22, 23, 24}
- ii. increased mortality in infants and young children;²⁵
- iii. increased numbers of heart attacks, especially among the elderly and in people with heart conditions;²⁶
- iv. inflammation of lung tissue in young, healthy adults;²⁷
- v. increased hospitalization for cardiovascular disease, including strokes and congestive heart failure;^{28, 29, 30}
- vi. increased emergency room visits for patients suffering from acute respiratory ailments;³¹
- vii. increased hospitalization for asthma among children;^{32, 33, 34} and
- viii. increased severity of asthma attacks in children.³⁵

43-12

The BAAQMD states (website, Sept. 6, 2009): "Health effects can result from both **short-term** and long-term exposure to PM pollution. Exposure to particulate pollution is linked to increased frequency and severity of asthma attacks and even premature death in people with pre-existing cardiac or respiratory disease. Those most sensitive to particulate pollution include infants and children, the elderly, and persons with heart and lung disease."

In 2008 the California Air Resource Board tripled their estimates of deaths due to **short-term** exposures (ranging from 5600 to 32,000 per year).

The American Heart Association in 2004 published a report associating **short-term** air pollution exposure with death from cardiovascular (heart attack and stroke) and pulmonary (chronic obstructive lung disease exacerbation, asthma) causes.

The Environmental Protection Agency has stated that "tens of thousands of people die each year from breathing" polluted air.

The evidence that PM particles cause immediate, serious risks to health is indisputable. Pollution levels eight times greater than the Operational Thresholds will produce unacceptable risks of asthma attacks, heart attacks, strokes and death in exposed residents. Although the BAAQMD 'solution' automatically defines the impacts to be "less-than-significant" following construction mitigations, in no way will this reduce the true impacts on the communities' health, quality of life, or mortality rates.

Any proposed project, as large and intrusive on the neighborhood as is Ascension Heights Subdivision, must make every effort to accurately assess the true health risks and apply mitigation measures beyond the legal requirements, if necessary. The DEIR must fully reflect these health risks as determined by experts and assess the true value of all mitigation measures for each Alternative. Until this is completed the DEIR must be considered inadequate and non-responsive to the neighborhood needs.

10) Visual resources.

While the document describes the impact in text format, the visual impact analysis should utilize visual simulations in order to communicate more fully the views of this site. As noted in the DEIR, this parcel is the highest elevation of the entire neighborhood and is visible from 360 degrees, including County scenic roads (Polhemus Road and Interstate 280). If residences are not designed, a simple block massing image can be used. As noted in the comment above about proposed homes, the simulations should be the maximum allowed by zoning if no plans are provided by the applicant.

11) Fire Protection.

The DEIR does not contain fire access routes approved by the San Mateo County Fire/CAL FIRE. "Road widths and parking restrictions shown on the plan are non-compliant with County Fire requirements as required in prior correspondence and are not approved as shown.", Clayton Jolley, Battalion Chief/Fire Marshal, May 15, 2009. The proposed emergency vehicle access road traverses the steepest part of the hill with a grade exceeding that allowed by County Ordinance (15%) requiring an exemption. Even with an exemption for the EVA, the road/access design is not approved.

In addition, it is not apparent that the Fire Marshal has assessed the feasibility of any of the Alternatives. Without the basic safety elements firmly defined, the lot locations,

43-12

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43-14

house footprints, other roadways, retaining walls, drainage systems, etc. may have to be modified to accommodate the fire safety requirements. **This plan is not stable and as a result it is impossible to meaningfully assess multiple aspects of this project.**

43-14

12) Construction Noise Levels

Noise levels exceed standards and remain significant after mitigation as determined by the DEIR. Although standard noise levels are presented in the DEIR, no attempt has been made to determine the cumulative effects of multiple noise sources operating simultaneously. Table IV.G-6 lists noise levels generated by heavy equipment can range from approximately 76 dB(A) to 89 dB(A) when measured at 50 feet and 70 dB(A) to 83 dB(A) when measured at 100 feet. What noise levels will be expected at residential locations during standard operations? The truck hauls along Parrott will exceed noise standards also. Residents living on Parrot will be surrounded by noise sources exceeding the standards but no attempt in the DEIR has been made to sum all simultaneous sources and determine the total noise levels. This analysis must be performed.

43-15

13) Transportation/Traffic.

The traffic report does not adequately account for the impact of long haul trucks and construction vehicles in conjunction with student body traffic from the College of San Mateo. A large proportion of CSM students enter and leave campus just before and after every class period, and CSM can be accessed only via CSM Drive or Hillsdale Blvd. To adequately assess the impact on traffic during the construction period, the traffic analysis must include the corner of CSM Drive and Hillsdale Blvd., and Hillsdale Blvd. during peak student traffic to/from the college. Assessment should also take into account days of heavy traffic, as on Wednesdays during the popular Farmer's Market, held at CSM. In addition, collateral impacts from traffic impediments on Polhemus Road resulting from Crystal Springs Tunnel construction have not been considered and may cause increased traffic on Hillsdale Blvd to/from Highway 92.

43-16

14) Take of Mission Blue Butterfly.

The DEIR (page IV.C-39) states that USFWS has determined that removal of MBB larval host plants would be considered a "take" under the Endangered Species Act. Therefore the DEIR describes this impact as potentially significant. However, it incorrectly states that the identified mitigation measures reduce the impact to a less-than- significant level. This mitigation includes relocation of project components, which is difficult on this constrained site, and possibly incidental take authorization by USFWS, which is not guaranteed. The DEIR has not demonstrated that the impact can actually be reduced by the mitigation, and the impact level should remain significant after mitigation. This investigation was performed about two years ago and has not been repeated. Why is the DEIR not required to update these investigations?

43-17

15) Wildlife Assessment

43-18

The wildlife study occurred on one day only, May 18, 2003, and missed several species. The hill is home to at least two owls and several varieties of snakes. How could the County learn about these species and determine their endangered status? Additionally, page 205 of the technical appendix states that the "remaining open space area (approximately 32%) will support many of the existing wildlife species now using the site". On what basis is this claim made? Most of the 32% that would be left open and undeveloped would be the steepest part of the hill above Bel Aire, which is largely uninhabited today.

43-18

16) Tree loss replacement.

The DEIR (page IV.C-55) states that the loss of Significant Trees would be a potentially significant impact, but that the mitigation would reduce the impact to a less-than-significant level. However, Measure BIO-2a states that the tree replacement ratio will be developed in coordination with the County Community Development Director. This unknown future ratio needs to be disclosed now so that the decision-makers and public can determine whether the impact would be truly reduced to a less-than-significant level.

43-19

17) Oak Woodland Community.

The DEIR (page IV.C-59) again discloses a potentially significant impact to oak woodland and states that the impact would be reduced to less-than-significant, without the commitment to show that it would occur. In this case, "one or a combination" of mitigation options are offered. Would any one of the three options by itself reduce the impact to a less-than-significant level? That must be true for the DEIR to be adequate. Who would decide that a combination of mitigation was necessary? Where would the off-site oak woodland be located? How can we determine today that that reduces the impact to a less-than-significant level?

43-20

18) Geology Mitigation Measure GEO-4.

How does having the applicant's consulting geologist review final grading, drainage, and foundations plans and specifications "further ensure that the proposed project remains in compliance with [Mitigation Measures GEO-2 and GEO-3]" (page IV.D -25). All mitigation measures in the DEIR will need to be monitored by the County. Why is it necessary to further ensure what the County is absolutely required to do?

43-21

19) Stormwater Runoff.

This project is large enough to require compliance with C.3 regulations. However, the DEIR (page IV.E-14) states that "source control measures are applicable at the individual lot and house design stage, and are not expected to be addressed at this time...Individual lot owners would likely be encouraged to incorporate storm water treatment features on-site. These issues shall be addressed at the Final Map design stage." And yet, the DEIR assumes they will occur, even though they are not committed to, in the impact analysis. If the future individual lot owners are not required to build these features, the DEIR should conservatively assume that they do not.

43-22

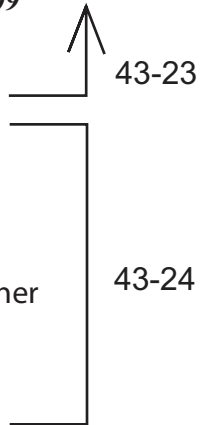
20) Maps.

43-23

Maps such as Figure IV.F-1 are unreadable in black and white.

21) Sewer Flow Impact.

The DEIR (page IV.J-8) identifies a potentially significant impact for wastewater conveyance because the City of San Mateo cannot approve the additional flow unless CSCSD pays the amount due on infrastructure. The DEIR then incorrectly reduces the impact to less than significant by ensuring "zero net increase in flow during wet weather events." This mitigation does not address the identified impact and therefore cannot reduce the impact to a less-than-significant level.



SECTION III

DEIR inadequacy is caused by Alternatives not described in sufficient detail to provide an adequate comparison of impact, particularly with the important air quality and health risk analyses.

22) Project Alternatives.

In order to allow adequate comparisons between the Project Alternatives, the following information should be presented for **each alternative design** (See Attached: *Ted Sayre, Cotton, Shires and Assoc., July 2009*):

- Total required excavation and fill volumes (including probable grading required to establish viable house floor levels)
- Extent of required retaining structures (lineal feet of wall and square footage of wall face)
- Square footage of site disturbance required for grading
- Number of truck trips and associated impacts for earth material export for full project build-out (including the quantity and duration of earth material trucking during house construction)
- Assessment of air quality impacts including total project exposure to PM10 and PM2.5 particles
- Visual computer simulations depicting house placements for all alternatives are necessary to fully assess the visual impact on the highest neighborhood hill requiring extensive retention walls and excessive residence heights

43-25

23) Additional Concerns.

The six months of "streetconstruction" following the rough grading is not defined or disclosed with regard to grading, off-site hauling, dust, exhaust, noise, hours of operation.

43-26

The volume of soil to be removed, required truck trips, amount of dust and exhaust, hours of operation, traffic impacts etc. for house 'pad' construction are not disclosed

43-27

The total project exposure to PM10 and PM2.5 particles in the neighborhood is not estimated (The daily, 24hr average PM increase throughout construction on a daily basis was requested in original 2003 Scoping Meeting)

43-28

Erosion control design is inadequate, or non-existent.

43-29

Proposed house designs illustrating height of "cripple" walls and total residence height are not included.

43-30

CONCLUSIONS

As a result of **incomplete and absent disclosures, unsubstantiated conclusions, avoidance of obvious mitigation measures, project instability and lack of definitive project definitions, and serious risk to health and lives of the public** detailed in this Comment document, the DEIR must be determined to be inadequate for making informed decisions by either the public or responsible Agencies. To remedy these severe deficiencies, we believe the draft EIR must be Revised and Recirculated in its entirety. We request greater public involvement in the process to ensure the Planning Commission will have the information it requires to make a fully informed decision regarding this project.

43-31

References:

- 22 Hong Y-C, Lee J-T, Kim H, Ha E-H, Schwartz J, Christiani DC. *Effects of Air Pollutants on Acute Stroke Mortality. Environ Health Perspect* 2002; 110:187-191.
- 23 Tsai SS, Goggins WB, Chiu HF, Yang CY. *Evidence for an Association Between Air Pollution and Daily Stroke Admissions in Kaohsiung, Taiwan. Stroke* 2003; 34: 2612-6. [X]
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Comments on DEIR: Ascension Hts Subdivision

Baywood Park Homeowners Assoc

September 9, 2009

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COTTON, SHIRES & ASSOCIATES, INC.
CONSULTING ENGINEERS AND GEOLOGISTS

July 30, 2009
G0193A

TO: Gerard Ozanne, President
BAYWOOD PARK HOMEOWNERS' ASSOCIATION
1899 Parrott Drive
San Mateo, California 94402

SUBJECT: **Geotechnical Evaluation of Draft EIR**
RE: Ascension Heights Subdivision
San Mateo County, California

Dear Mr. Ozanne:

At your request, we have completed a geotechnical evaluation of the following documentation associated with the proposed subdivision and site development:

- Ascension Heights Subdivision Project - Draft Environmental Impact Report prepared by Christopher A. Joseph & Associates, dated June 2009;
- Appendix F: Geotechnical Data, Draft Environmental Impact Report, technical investigation reports by Terrasearch, Michelucci & Associates, and Treadwell & Rollo, various dates;
- Appendix B: Responses to Notice of Preparation and Comments from EIR Scoping Meeting; and
- Vesting Tentative Map, Proposed Drainage and Grading Plan - Ascension Heights Subdivision (3 sheets) prepared by Lee & Braze, dated January 17, 2007.

DISCUSSION

The applicant proposes to subdivide six existing parcels above the intersection of Ascension Drive and Bel Aire Road (total of 13.3 acres) into 25 lots for single-family residential construction. The project includes the construction of a new public street, an emergency access road, and repair of existing site erosion areas. Proposed project grading for establishment of new roadways and rough grading of lots includes approximately 96,000 cubic yards of cut and 35,480 cubic yards of fill. We understand that supplemental grading needed for development of individual residential buildings is not included in the above grading estimates.

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We previously prepared geotechnical comments regarding geotechnical supporting documents and an earlier development plan for a 25-lot site subdivision (letter dated January 21, 2004). Our primary geotechnical concerns with earlier development plans included several aspects of the proposed project grading and drainage design that were not in conformance with standard Uniform Building Code grading requirements, construction of new house sites on proposed graded slopes inclined at 1.5:1 (horizontal:vertical), and the need for additional evaluation of constructing new homes across very steep graded slopes. We noted that very steep, uniform cut slopes proposed across several individual lots were not consistent with new building pad construction generally accepted within the Bay Area.

RECENT GEOTECHNICAL EVALUATIONS

The currently proposed project grading plan, and designated project design Alternative B, retain very steep graded slopes (up to 1.5:1) across several of the proposed lots. It appears that at least 6 proposed lots located south of the existing water tank have graded slopes steeper than 2:1 and up to 1.5:1.

We have attached Geologic Cross Section A-A' from the DEIR that illustrates proposed final slopes. For example, the dashed line on Section A-A' illustrates proposed grading of a level bench for the access roadway and establishment of an 80-foot high 1.5:1 cut slope above the roadway (located south of the water tank and toward Ascension Drive). The illustrated cut slope above the roadway is presented as containing a suitable building site for proposed Lot 16. The depicted lower floor level elevation for a new residence on Lot 16 would require an additional 25 to 30 feet of excavation beneath portions of the building footprint. We have not seen an evaluation of grading volumes required for individual lot construction. On steep lots, all excavated earth materials for home construction would need to be exported from the site. Off hauling large volumes of material typically impacts neighboring roadways, traffic, air quality, and noise. The DEIR indicates that house construction could occur over a 5 year period after establishment of project roadways.

Also depicted on Section A-A' is a slope inclined at approximately 1.7:1 descending from the new access roadway bench toward Ascension Drive. This steep slope area is another cutslope presented as suitable for construction of a new residence on proposed Lot 22. The depicted lower floor elevation for a new residence on this lot would require a "cripple" wall (supporting element between the ground surface and first floor level) of approximately 16 feet in height along the downslope wall of the house. Given a standard roof pitch, the total height of a two-story residence on this and other similar proposed lots could exceed 40 feet. This type of house design is not generally similar to that of the surrounding neighborhood as assumed in the DEIR, and may constitute a significant negative visual impact.

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The example lots noted above are representative of the problems resulting from proposed establishment of residential lots and a new access roadway to the south of the water tank. The lack of project design conformance to established grading and drainage standards is covered in our previous project design evaluation letter (attached). The previously noted deficiencies remain in the currently proposed development plan.

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EROSION CONTROL

Areas of severe erosion were noted during our inspection of the property. In 1979, Terrasearch observed several areas of existing "ruts" within the property and recommended that these areas be addressed during future project grading by backfilling and drainage control. Michelucci & Associates also noted several areas of erosion features and presented three options to stabilize these features (Geotechnical Investigation, 2002, page 19). This consultant also identified a specific option to be considered for the prominent gulley above the Bel Aire/Ascension intersection. In 2003 and 2008 Treadwell & Rollo noted the severe erosion areas and recommended mitigating further erosion by controlling runoff along with repairing and re-vegetating the eroded areas. This consultant has taken no exception to the specific design options prepared by Michelucci & Associates.

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The proposed development plan indicates that the most severe area of site erosion (prominent gulley above Bel Aire/Ascension intersection) is to be contained within a designated undisturbed area. Consequently, we understand that erosional features in this area are not proposed for repair. Project grading and drainage plans also do not specifically address other areas of site erosion problems.

RECOMMENDATIONS

The proposed graded slopes steeper than 2:1 (horizontal:vertical) across proposed residential building sites results in the following geotechnical and environmental impact concerns (Items 1-3) that should be addressed in the project EIR. In addition, to adequately address important differences between identified development Alternatives, and to arrest significant ongoing site erosion, we recommend that listed Items 4 and 5 also be addressed in the final EIR.

1. Slopes steeper than 2:1 will have an increased potential for erosion and instability. Given that site earth materials have a high erosion potential, and that adequate vegetation cover will not be readily established on cuts exposing bedrock, we anticipate that the proposed project design will result in accelerated erosion. Necessary coordinated drainage control improvements across individual lots are not depicted on development plans. The proposed design does not appear to be consistent with County requirements to minimize erosion and sedimentation from new

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- projects. Reduced final graded slopes should be considered from an erosion control perspective.
2. From an aesthetics perspective, we have not seen an adequate evaluation in the DEIR of visual impacts related to potential house design challenges resulting from very steep slopes proposed across depicted building envelopes. The visual mass of buildings will likely be most significant for very steep lots on the downslope side of access roadways. Graphics showing homes located on proposed slopes should be prepared.
3. Very steep proposed lot slopes also result in the apparent need for significant grading during the house construction phase. The DEIR does not address the magnitude or potential impacts of grading required to establish viable floor level elevations for new residences. Very steep lots located on the upslope side of access roadways will likely require the most grading during the house construction phase. On steep lots, most of the excavated earth materials will need to be trucked from the site with resulting potential neighborhood construction period and air quality impacts. Probable grading volumes that will result in the establishment of new homes on depicted lots should be presented. Proposed creation of final graded slopes steeper than 2:1 across future house sites should be reconsidered for conformance with prevailing construction practices in the Bay Area.
4. In order to allow adequate comparisons between the Project Alternatives, the following information should be presented for each alternative design:
- Total required excavation and fill volumes (including probable grading required to establish viable house floor levels);
 - Extent of required retaining structures (lineal feet of wall and square footage of wall face);
 - Square footage of site disturbance required for grading;
 - Number of truck trips and associated impacts for earth material export for full project build-out (including the quantity and duration of earth material trucking during house construction); and
 - Assessment of air quality impacts.
5. Ongoing potentially significant sources of siltation should be corrected as part of the proposed project. Existing site gullies will

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continue to enlarge unless corrective measures are employed to arrest significant site erosion features. Appropriate repair options presented in project geotechnical investigation reports should be selected and be incorporated into project development plans.


We recommend that the above items be fully evaluated in the Final EIR. In addition, proposed project drainage and grading plans should be modified so they are in essential compliance with code requirements.

LIMITATIONS

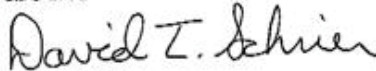
Our evaluation services consist of professional opinions and recommendations made in accordance with generally accepted engineering geology and geotechnical engineering principles and practices. No warranty, expressed or implied, or merchantability of fitness, is made or intended in connection with our work, by the proposal for consulting or other services, or the furnishing of oral or written reports.

Sincerely,

COTTON, SHIRES AND ASSOCIATES, INC.



Ted Sayre
Principal Engineering Geologist
CEG 1795

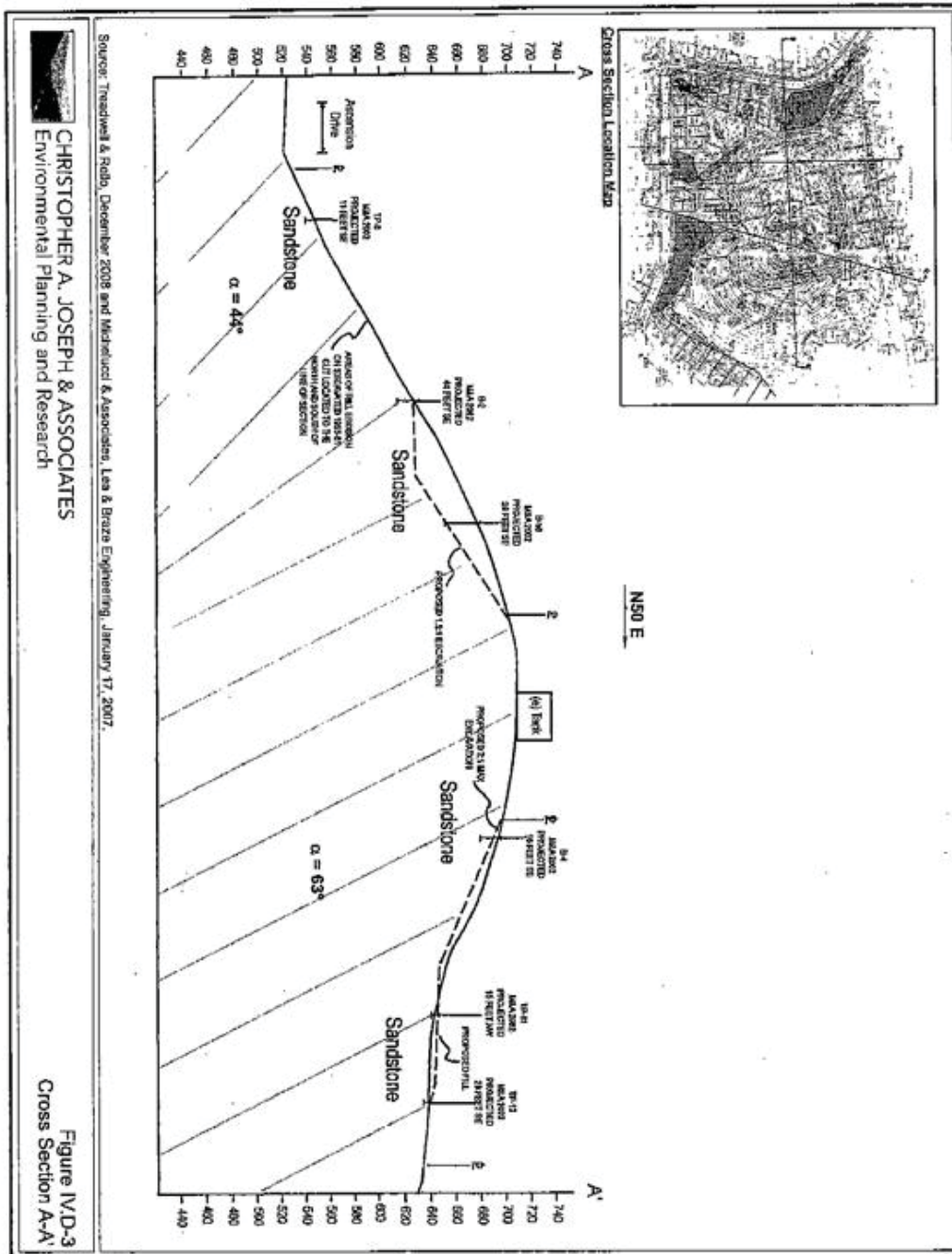


David T. Schrier
Principal Geotechnical Engineer
GE 2334

TS:DTS:kd

Attachments: DEIR Cross Section A-A' (Figure IV.D-3)
CSA Geotechnical Evaluation letter, dated January 21, 2004

COTTON, SHIRES & ASSOCIATES, INC.



Response to Comment Letter 43**Baywood Park Homeowners Association, Gerard Ozanne**Response 43-1

The comment introduces and summarizes ensuing comments, which are addressed in Responses to Comments 43-3 through 43-40.

Response 43-2

The comment introduces and summarizes ensuing comments, which are addressed in Responses to Comments 43-3 through 43-40.

Response 43-3

Regarding the commenter's concern about health and safety, refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction and to Topical Response 7, Construction Traffic Impacts. Regarding the commenter's assertion that the DEIR should be revised and recirculated, refer to Topical Response 4, Recirculation of the DEIR.

Response 43-4

The level of detail provided in the DEIR, including Section III, Project Description, is adequate to allow for a meaningful evaluation of project impacts, several of which were found to be significant and unavoidable in the DEIR. Regarding the commenter's concern about soil to be exported from the project site, refer to Topical Response 7, Construction Traffic Impacts.

As discussed on page III-37 of the DEIR, project grading activities include cut (earth removal) and fill of earthwork, creation of engineered slopes and stepped foundations, installation of retaining walls. Approximately 131,480 cubic yards (cy) of earth material would be graded for the proposed project on slopes averaging 40 percent (see Figure III-18 of the DEIR). Specifically, the grading phase of the proposed project would require approximately 96,000 cy of cut material (with a maximum depth of 25 feet) and 35,480 cy of fill material (with a maximum depth of 10 feet). Approximately 60,520 cy of soil would be exported from the site to an off-site location. No additional details are available at this time regarding the amount of grading that would be required for each lot; however, the majority of the grading for the proposed project would occur within the first phase of the project. Grading of each lot would not involve the same use of soil haul trucks, in terms of frequency and duration, as would be required for the initial grading phase for the project. The DEIR analyzes the impacts associated with project grading (e.g. truck trips, air quality and noise) based on the information that is available and identified significant and unavoidable air quality and noise impacts during this initial grading phase, and significant but mitigatable impacts related to construction traffic.

Response 43-5

Regarding the commenter's concern about existing erosion on the site and how the project would mitigate the erosion, refer to Topical Response 9, Erosion Impacts. While no landscape plans are available at this time for the project, Mitigation Measure AES-1 on page IV.A-23 of the DEIR requires a detailed landscape plan to be submitted for review, prior to approval of the Final Map. Also, the conservation area proposed for the project site would be owned and maintained by the HOA.

Response 43-6

The comment expresses a concern that the single-family homes are not described in the DEIR. As stated on pages III-20 and III-25 of the DEIR, setbacks of 20 feet (front and back yards) and 5 feet (side yards) would be implemented for each lot, with 10-foot corner setback lines where necessary. Each lot would be developed with one single-family house. Design of the structures is not available at this time and would be proposed after the Tentative Map is approved; although, proposed structures would be designed to be similar to those surrounding single-family residential uses.

Regarding the comment that the DEIR should analyze the effects of the houses, it is noted that the DEIR does indeed analyze the environmental impacts of the proposed homes based on the information available for the homes, and this information is adequate to identify any significant impacts associated with the proposed project. For example, Section IV.H, Public Services, of the DEIR addresses the increased demands that project residents would create to various public services. Refer to Section IV.F, Land Use, of the DEIR for a description of the allowable uses based on the site's R-1/S-8 zoning and the associated development regulations (e.g. building height, setbacks, etc.).

Response 43-7

This comment expresses concern about potential erosion impacts that could occur after mass grading of the project site but prior to individual home construction. Replanting and landscaping would occur after the initial grading phase. As discussed on pages IV.D-24 and IV.D-25 of the DEIR, although the landscaping of the common areas/conservation areas is not determined at this time, the intent is to utilize drought-tolerant native vegetation in order to restore the area to a natural habitat, which would reduce the potential for erosion to occur over the lifetime of the project. However, without mitigation, project impacts related to soil erosion or loss of topsoil would be *significant*.

In addition to the measures outlined in Mitigation Measure GEO-2, the following mitigation measures would reduce Impact GEO-3 to a *less-than-significant* level:

Mitigation Measure GEO-3

One or more of the following methods shall be incorporated into the final site grading plan, subject to approval by the County Community Development Director:

- Excavate and remove materials affected by erosion in areas where the topography allows a cut to daylight at acceptable inclinations.
- Excavate a key at the base of the slope or resistant rock in the erosion area. Rebuild the slope with compacted, drained, engineered fill over a geogrid to allow for slope reconstruction at a steep inclination.
- Construct structural retaining walls or terrace walls in the erosion areas. A wall can be constructed at the top of the eroded area and then trim the erosional features away from below the wall.

Additionally, all of the following measures shall be implemented:

- Permanent erosion control measures shall be placed on all slopes, including all slopes shall be hydroseeded.
- The project geotechnical consultant shall be involved in reviewing the final grading and drainage plans, as well as perform construction observation services during grading to ensure that erosion control mitigation measures are performed. Based on the results of design-level investigations, more aggressive permanent erosion control measures shall be evaluated to minimize surface runoff velocities and erosion potential. Additionally, a Storm Water Pollution Prevention Plan (SWPPP) shall be prepared with the grading plans to fulfill regulatory requirements.

Refer also to Topical Response 9, Erosion Impacts, and Response to Comment 27-9 regarding tree replacement requirements for the project.

Response 43-8

The air quality analysis on page IV.B-19 of the DEIR assumes an average soil haul export time frame per day of 11 hours. In an effort to reduce the project's noise impacts during construction, the first bullet of Mitigation Measure Noise-1 on page IV.G-13 of the DEIR requires that construction activity shall be limited to the hours of 8:00 AM and 4:30 PM Monday through Friday. This same mitigation measure is included in the second bullet of Mitigation Measure TRANS-6 on page IV.I-26 of the DEIR to reduce the project's construction traffic impacts. Also, the third bullet of Mitigation Measure Noise-1 on page IV.G-13 of the DEIR requires that soil export from the site shall be limited to between the hours of 10:00 AM and 3:00 PM in an effort to reduce the noise impacts associated with soil haul truck trips. This same mitigation measure is included in the third bullet of Mitigation Measure TRANS-6 on page IV.I-26 of the DEIR to reduce the project's traffic and public safety impacts.

Response 43-9

This comment expresses concern about maintenance that would be required of the project's storm water pollutant removal system. As discussed in Section IV.E, Hydrology & Water Quality, the proposed project

has the potential to violate water quality standards or waste discharge requirements during operation. The RWQCB adopted an amendment to the San Mateo Countywide STOPPP NPDES Permit, Order No. 99-059, to incorporate specific new development and redevelopment requirements. The requirements apply to development projects that exceed certain thresholds of impervious surface area. Beginning in August 2006, any project that creates at least 10,000 square feet of impervious surface must comply with C.3 Provisions of the NPDES permit. In 2003, the San Mateo Countywide NPDES Municipal Stormwater Discharge Permit (NPDES Permit No. CAS0029921) was amended to include stricter requirements for post-construction stormwater control measures. New development projects such as the proposed project are required by the NPDES permit to incorporate site design, source control, and treatment measures to the “maximum extent practicable” and to use stormwater control measures that are technically feasible (likely to be effective) and not cost prohibitive. C.3 Provisions of the NPDES permit describe these requirements. Since more than 10,000 square feet of impervious surface would be created by the proposed project the project must comply with C.3 Provisions of the NPDES permit and incorporate various prescribed measures into the project design. Per the analyses conducted by Schaaf & Wheeler, the proposed on-site detention and drainage systems as described above (i.e., individual retention systems and CDS) may serve to meet C.3 Provisions.

Schaaf & Wheeler has also concluded that proposed site design measures would serve to alleviate potentially significant impacts, including the following:

- Preservation of existing trees and vegetation: Lot “A” is proposed by the applicant as a common/conservation area and preserves a significant number of the existing trees on-site;
- Using self-treated areas: Lot “A” would be left in its natural condition and storm water runoff treatment is not required for this drainage;
- Minimizing impervious surfaces: If maximum allowable building coverage is assumed for each lot, approximately 40 percent of the total site would be covered by impervious surface at build-out. While this percentage is higher than in the existing condition, it is reasonably comparable to existing development within adjacent neighborhoods; and
- Storing rainwater on-site: While rainwater would not be stored on-site indefinitely (e.g., in cisterns), “retention pipes” (actually detention pipes) are proposed to limit storm water runoff to existing rates.

While passive storm water treatment measures such as bioswales, buffer strips, flow through planter boxes, infiltration trenches, extended detention, and bioretention may be preferred by the RWQCB, the use of a properly sized CDS treatment unit is an acceptable means of treatment, particularly if the applicant has discussed its use and maintenance with the County. Individual lot owners would likely be encouraged to incorporate storm water treatment features on-site. These issues shall be addressed at the Final Map design stage.

Prior to obtaining a grading permit, the project applicant would be required to submit a SWPPP. The SWPPP would detail the treatment measures and BMPs to control pollutants and an erosion control plan that outlines erosion and sediment control measures that would be implemented during the post-construction phases of project development. In addition, the SWPPP would also describe the post-construction BMPs used to reduce pollutant loadings in runoff and percolate once the site is occupied (e.g., grassy swales, wet ponds, and educational materials) and would set forth the BMP monitoring and maintenance schedule and responsible entities during the post-construction phases. The RWQCB would enforce compliance with the SWPPP; therefore, project operation impacts related to water quality would be *less than significant*.

Although all construction-related and operational water quality impacts would be less than significant the following mitigation measure is included.

Mitigation Measure HYDRO-1

In accordance with the State of California's General Permit for Construction Activities (General Permit) the applicant shall prepare a SWPPP. The SWPPP shall comply with the requirements of the General Permit and be incorporated into the construction documents. The SWPPP would provide specific information regarding BMPs for both the construction and post-construction stormwater management that would be incorporated into the project. As part of the coverage under the General Permit the applicant would file a NOI with the SWRCB within 30 days prior to the start of construction.

Response 43-10

The commenter is correct that page IV.A-27 of the DEIR mentions the possibility to light the project site at night during the project's construction phase; however, this is not currently proposed as part of the project. Instead, page IV.A-27 of the DEIR mentions that all construction activities would cease after 4:30 PM, Monday through Friday, unless an alternative schedule is deemed to be necessary by the County in order to expedite construction. Given the site is situated in a residential neighborhood and is visible from many off-site locations, including from the commenter's backyard, lighting of the project site at night during the construction phase is not anticipated.

Although the DEIR found light and glare impacts to be less than significant, page IV.A-26 recommends the following mitigation measures to further reduce the project's light and glare impacts:

- Reflective glass or other glaring materials shall be discouraged. The exterior of the proposed building shall be constructed of non-reflective materials such as, but not limited to: high-performance tinted non-reflective glass, metal panel, and pre-cast concrete or cast in-place or fabricated wall surfaces. The proposed materials will be reviewed and approved by the Community Development Director prior to approval of the Final Map.
- Where streetlights or outdoor area lighting is proposed, the lighting shall be of a low-intensity variety. Residential lighting would be kept to a minimum to meet safety standards, reduce light and

glare. Lighting paths, entranceways, and outdoor living areas shall be directed downward to reduce nuisance to adjacent properties. Selection of specific lighting standards for the development would be based on minimizing ambient light.

- Tree planting shall be required along the internal roadways and within the project site where effective at softening the effects of light and glare from cars and structures.

Response 43-11

This comment correctly acknowledges that the DEIR identified air quality impacts during construction as being significant and unavoidable but fails to adequately support the assertion that the DEIR's air quality analysis is inadequate and conclusory in nature. For a thorough discussion of air quality impacts during construction, refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction.

The level of information included in Section IV.B, Air Quality, of the DEIR is adequate to conclude the significance of the project's construction and operational air quality impacts. Several of the questions poses in the comment are beyond the level of detail required by CEQA in an EIR (e.g. projected dust volume deposited on houses). Section 15204.5(a) states: *CEQA does not require a Lead Agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.*

Regarding the comment that an on-site monitor is needed, page IV.B-22 of the DEIR includes the following mitigation measure:

8. The County shall designate a Disturbance Coordinator responsible for ensuring that mitigation measures to reduce air quality impacts from construction are properly implemented. The Disturbance Coordinator shall be responsible for notifying adjacent land uses of construction activities and schedule and shall provide a written list of the aforementioned dust control measures. The list shall identify a contact person that will respond to any complaints. A log shall be kept of all complaints and the actions taken to remedy any valid complaint as well as the response period.

Regarding the comment that air quality analyses must be calculated for all phases of construction, the BAAQMD does not currently require quantification of emissions during grading and construction. Regardless, and due to the amount of grading and soil haul truck trips required for the project, the DEIR does analyze the air quality impacts based on the level of grading and construction information available and concludes that such impacts are significant and unavoidable. Additional analysis of subsequent phases is not necessary to determine the significance of air quality impacts during the grading and construction phase.

The commenter did request an estimation of air pollutant concentration levels at the 2003 DEIR scoping meeting; however, based on consultation with the BAAQMD regarding the construction air quality impacts

of the project, a Health Risk Assessment was not deemed to be required. Nonetheless, Section IV.B, Air Quality, of the DEIR identifies grading and construction air quality impacts as significant and unavoidable.

Response 43-12

Regarding the commenter's concerns pertaining to health risks associated with the project, refer to Response to Comment 43-11 and Topical Response 1, Air Quality Impacts and Health Risk During Construction.

Response 43-13

The commenter recommends that visual simulations be prepared for the project and that the simulations be based on the maximum allowed by zoning (e.g. building heights). While it is acknowledged that visual simulations would help understand the project's visual impacts, simulations of post-project conditions are not available nor are they required by CEQA for EIRs. Given the height of the hill where the project site is located in comparison to surrounding elevations, the proposed project would be visible from many viewing locations. Refer to Section IV.A, Aesthetics, for an analysis of the project's aesthetics impacts.

Response 43-14

Regarding the commenter's concerns about fire hazards and access, refer to Response to Comment 20-2. Implementation of fire safe regulations per all applicable codes would be required. Furthermore, Mitigation Measures PS-2b and PS-2c would ensure that appropriate fire hazard management recommendations shall be included as project conditions of approval and that the EVA road shall be constructed at the appropriate phase and is designed to adhere to the appropriate design standards. Therefore, impacts associated with wildfire hazards would be *less than significant*.

The commenter is correct that the Fire Marshall has not assessed the feasibility of the Alternatives analyzed in the DEIR. Should one of the alternatives be approved instead of the proposed project, the Mitigation Measures listed in Section IV.H.2, Fire Protection, would still apply.

Response 43-15

The commenter correctly notes that the DEIR found that project noise impacts during construction to be significant even after mitigation, and that no attempt has been made to determine the multiple noise sources operating simultaneously. CEQA does not require that the DEIR analyze multiple noise sources operating simultaneously, and the DEIR has made a good faith effort at disclosing the significant noise impacts that would occur during construction and the transport of soil off-site. Refer to Topical Response 3, Standards for Responses to Comments and Focus of Review of Commenters.

Response 43-16

Refer to Topical Response 7, Construction Traffic Impacts, regarding the commenter's concern that about traffic during construction and Response to Comment 4-2. The truck haul route described in the DEIR

(page IV.I-26) was chosen to minimize the number of residential streets used by the trucks, and because of the existing traffic volumes and steep grade on Ascension Drive. However, the commenter's concern regarding the haul route will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project. Refer to Section IV.I, Transportation/Traffic, of the DEIR for an analysis of the project's operational traffic impacts which were all found to be less than significant with the exception of road widths and road grades which were found to be *significant* but can be reduced to less-than-significant levels via implementation of Mitigation Measures TRANS-3 and TRANS-4 on pages IV.I-23 and IV.I-24 of the DEIR, respectively. Refer to Topical Response 3, Standards for Responses to Comments and Focus of Review of Commenters.

Response 43-17

This comment disagrees with the effectiveness of Mitigation Measure BIO 1-a to reduce impacts to the Mission blue butterfly (MBB) to a level of less-than-significant. However, the DEIR consultant disagrees with this opinion. The project was designed to preserve potential MBB habitat by avoid existing occurrences of summer lupine (MBB larval host plant) on the project site, including moving lot lines for Lots 22 and 23 and relocating proposed drainage infrastructure, recreation trail, Emergency Vehicle Access (EVA), and main access road to alternate locations that would avoid removal of the summer lupine. As stated on page IV.C-51 of the DEIR, prior to finalizing project site plans, the applicant shall prepare a detailed map of summer lupine occurrences within the project site. This map will be reviewed in order to determine if any changes to the project design are necessary to avoid removal of the butterfly host plant. Furthermore, the project applicant shall include MBB larval host plant species of lupine in the conservation easement on the project site. The DEIR states that it is not likely that MBB is present on the project site, based on their known distribution, the phenology and condition of the summer lupine plants found on site, and the presence of significant barriers to dispersal between the closest recorded observation of MBB and the project site. However, impact avoidance measures will still be undertaken pursuant to conservation measures required by the USFWS for the project. Focused surveys have not been repeated since Spring 2005 because the applicant has opted to assume presence and mitigate accordingly in coordination with USFWS, due to the fact that potentially suitable larval host plants and adult food plants are present on the project site. If avoidance of all individual summer lupine plants is not feasible, the DEIR acknowledges that USFWS may need to issue an incidental take authorization and/or require additional mitigation such as a financial contribution to an existing habitat conservation plan for the MBB, placing a conservation easement over preserved portions of the project site where the lupine is being avoided, or some other conservation plan to protect the viability of the species and its habitat.

Response 43-18

This comment incorrectly states that the wildlife study occurred on one day only; refer to Response to Comment 27-2 regarding the number of surveys that were conducted. The comment also questions the basis for the identifying specific areas as "open space" on the project plans. As noted in the comment, approximately 32% of the project site would be conserved as undeveloped open space. The project was designed to minimize potential impacts to federally endangered Mission blue butterfly to the greatest extent

feasible by setting aside areas that support summer lupine shrubs, a plant species that serves as the juvenile larval host plant for Mission blue butterfly. Areas designated as open space would also continue to be available as habitat for common wildlife species.

Response 43-19

In order for the County Planning and Building Department Director to determine an accurate mitigation ratio to adequately replace trees to be removed by the project, the previous tree survey needs to be updated in order to confirm the number, size, and health of affected trees, and other pertinent data relative to current project development plans. This comment has been forwarded to County for their review and consideration.

Response 43-20

Mitigation measure BIO-2c on pages IV.C-59 through IV.C-61 provides several options to reduce the significant impact to Coast Live Oak Woodland to a less-than-significant level. Implementation of one of the measures listed under Mitigation Measure BIO-2c and/or a combination of the measures would reduce the significant impact to a less than significant level. CEQA allows for mitigation measures to be replaced by other measures so long as the mitigation reduction from a new mitigation measure is commensurate with the mitigation reduction of the previously-proposed mitigation measure.

Response 43-21

The comment questions why the applicant's consulting geologist should review final plans and specifications given that the County will also have to conduct such review. By requiring the applicant's consulting geologist to review all final plans and specifications, the consulting geologist would be able to confirm if all recommendations included in the geotechnical report have been adequately addressed.

Response 43-22

Regarding the commenter's concerns about the project not adhering to C.3 regulations, as stated on page IV.E-14 of the DEIR, the project must comply with C.3 Provisions of the NPDES permit and incorporate various prescribed measures into the project design. Mitigation Measure HYDRO-1 on page IV.E-15 of the DEIR requires the following:

Mitigation Measure HYDRO-1

In accordance with the State of California's General Permit for Construction Activities (General Permit) the applicant shall prepare a SWPPP. The SWPPP shall comply with the requirements of the General Permit and be incorporated into the construction documents. The SWPPP would provide specific information regarding BMPs for both the construction and post-construction stormwater management that would be incorporated into the project. As part of the coverage under the General Permit the applicant would file a NOI with the SWRCB within 30 days prior to the start of construction.

Also, refer to Topical Response 9, Erosion Impacts.

Response 43-23

The commenter expresses concern that maps, such as Figure IV.F-1 are unreadable in black and white. The original version of Figure IV.F-1, Zoning Map, of the DEIR was provided in color. This color figure is available in the DEIR for the proposed project that can be found on the County's web site. Also, the following reference to Figure IV.F-1 on page IV.F-2 of the DEIR describes what Figure IV.F-1 illustrates:

The project site is zoned one-family residential district (R-1) and residential density district Number 8 (S-8), which allow for the following uses (refer to Figure IV.F-1):

Response 43-24

The commenter asserts that implementation of Mitigation Measure UTIL-1 does not reduce Impact UTIL-1 to a less-than-significant level. Mitigation Measure UTIL-1 was developed with input from the County Public Works Department and Planning and Building Department and adequate implementation of this mitigation measure is expected to reduce the impact to a less-than-significant level. However, the comment will be forwarded to the decision makers for their consideration.

Response 43-25

Refer to Response to Comment 22-1 and Topical Response 5, Alternatives, regarding the commenter's recommendation that additional details be provided for each alternative analyzed in the DEIR.

Response 43-26

Regarding the commenter's concerns that all grading phases of the project have not been defined or disclosed, refer to Response to Comments 43-4.

Response 43-27

Regarding the commenter's concerns that all impacts related to construction of the homes on the project site have not been disclosed, refer to Response to Comments 43-4.

Response 43-28

With regard to the commenter's assertion that exposure to particulate matter has not estimated in the DEIR, refer to Response to Comment 43-11.

Response 43-29

Regarding the commenter's assertion that erosion control design is inadequate or non-existent, refer to Responses to Comments 43-5, 43-9, and 43-22. Also, refer to Topical Response 9, Erosion Impacts.

Response 43-30

Comment noted. This information was not provided in the project application materials. Also, refer to Response to Comment 43-6.

Response 43-31

Regarding the commenter's assertion that the DEIR is inadequate and should be revised and recirculated, refer to Responses to Comments 43-1 through 43-30, and Topical Response 4, Recirculation of the DEIR. Regarding Comments 43-1 through 43-3, in many instances the commenter fails to provide facts, reasonable assumptions supported by facts, or expert opinion supported by facts. The CEQA Guidelines encourages reviewers of DEIRs to examine the sufficiency of the environmental document, particularly in regard to significant effects, and to suggest specific mitigation measures and project alternatives. Given that an effect is not considered significant in the absence of substantial evidence, subsection (c) advises reviewers that comments should be accompanied by factual support. Section 15204(c) of the CEQA Guidelines states:

Reviewers should explain the basis for their comments, and, should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.

Regarding the commenter's request that there be greater public involvement in the process, the County has exceeded its requirements in involving the public in the DEIR process, including holding a DEIR scoping meeting, a DEIR public review period longer than the state-required 45-day period, and also held an optional Planning Commission meeting on the DEIR during the DEIR public review period. The County has also adequately noticed all meetings and hearings and the availability of the DEIR.

Response 43-32

This comment introduces ensuing comments, which are addressed in Responses to Comments 43-33 through 43-40, below. Also, refer to Topical Response 2, Landslides and Slope Instability.

Response 43-33

Regarding the commenter's concerns about the project involving very steep slopes, refer to Topical Response 2, Landslides and Slope Instability. No additional details are available at this time regarding the amount of grading that would be required for each lot; however, the majority of the grading for the proposed project would occur within the first phase of the project. Grading of each lot would not involve the same use of soil haul trucks, in terms of frequency and duration, as would be required for the initial grading phase for the project. The DEIR analyzes the impacts associated with project grading (e.g. truck trips, air quality and noise) based on the information that is available and identified significant and unavoidable air quality and noise impacts during this initial grading phase, and significant but mitigatable impacts related to construction traffic.

Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction, and to Topical Response 7, Construction Traffic Impacts. Also, refer to Topical Response 6, Construction Phasing and Schedule and to Topical Response 8, Construction and Operational Noise Impacts.

Regarding the commenter's concern that a home on Lot 22 could exceed 40 feet in height and may constitute a significant visual impact, the building heights of the project would be required to conform with the County's development regulations for the site's zoning, and Lot 22 is situated near the proposed EVA road that includes a retaining wall. This would not change the DEIR's conclusions related to Aesthetic impacts.

Also, refer to Topical Response 9, Erosion Impacts.

Response 43-34

Regarding the commenter's concern about erosion, refer to Topical Response 9, Erosion Impacts.

Response 43-35

Regarding the commenter's concerns about the project involving very steep slopes, refer to Topical Response 2, Landslides and Slope Instability.

Response 43-36

The commenter recommends that visual simulations be prepared for the project. While it is acknowledged that visual simulations would help understand the project's visual impacts, simulations of post-project conditions are not available nor are they required by CEQA for EIRs. Given the height of the hill where the project site is located in comparison to surrounding elevations, the proposed project would be visible from many viewing locations. Refer to Section IV.A, Aesthetics, for an analysis of the project's aesthetics impacts.

Response 43-37

Refer to Response 43-33 regarding the commenter's concern about grading during house construction.

Response 43-38

Regarding the commenter's recommendation for additional details to be added in the EIR alternatives analysis, refer to Response to Comment 43-25.

Response 43-39

Regarding the comments about ongoing potentially significant sources of siltation and that the grading and drainage plans should be modified, refer to Topical Response 2, Landslides and Slope Instability, and to Topical Response 9, Erosion Impacts.

Response 43-40

Comment noted.

James Castaneda - Ascension Heights Subdivision Draft EIR

From: <Tires94030@aol.com>
To: <JCastaneda@co.sanmateo.ca.us>
Date: 9/9/2009 14:54
Subject: Ascension Heights Subdivision Draft EIR
CC: <Tiresimpor@aol.com>

Dear Mr. James Castaneda,

I am sending you my comments about the proposed Ascension Heights Subdivision of Water Tank Hill by email at 2pm September 9th, 2009 in order to meet the 5pm deadline.

44-1

I am concerned about proposed new construction in an geologically unstable area.

I live 1 block west of Water Tank hill on Enchanted Way (cross street Ascension Drive). My house is also on a slope - my back yard is one big very steep downhill, with a lot of trees on it which keeps erosion in check.

When we bought the house 23 years ago, the geologist said that our house would not slide down the hill, since the foundation sits on piers embedded into bedrock. However he could not guarantee that the dirt around the house would not slide, and the land would not settle.

I have seen the driveways of houses on our street sink lower by several inches over the years due to land settlement. I have had underground "streams" flowing underneath my house which I have had to correct with french drains. When it rains, there is a torrent of running water rushing down Enchanted Way for days, even after the rain has long stopped. The water source is from the back yard hill behind my neighbor's house across the street (her back yard butts up against Bel Aire Drive).

44-2

I am extremely concerned about the long-term geological impact this proposed project will have on land stability in our neighborhood. Can any geologist guarantee that more landslides will not occur because of this project? We have already had two major ones in our area, on Polhemus Road, and on Ascension Drive, both within two blocks of my home. Do we really want to take a chance with messing with Mother Nature, so that a developer can make a buck? Please reject this project. Thank you for hearing my views.

Sincerely,

Mrs. Gan Haw

Response to Comment Letter 44
Gan Haw

Response 44-1

This comment introduces ensuing comments, which are addressed in Response to Comment 44-2, below.

Response 44-2

With regard to the comment about the project being constructed in a geologically unstable area and the question whether any geologist can guarantee that more landslides will not occur due to the project, refer to Topical Response 2, Landslides and Slope Instability. Refer also to Topical Response 9, Erosion Impacts. Refer to Response to Comment 1-2 regarding the comment about underground streams being located beneath the commenter's house. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

1486 Ascension Drive
San Mateo, CA 94402
September 9, 2009

Dear Mr. Castaneda,
Mr. Church,
Ms. Groom,
Mr. Gordon,

Two years ago my husband and I moved from the Chicago suburbs back to California. We had started our married life in Berkeley – he studying for his PhD and I teaching elementary school. Now, all three of our children and three grandchildren live on the peninsula, and we wanted to spend our retirement years near them. After a year of searching we found our little piece of paradise here in Baywood Park. We have now come full circle. But suddenly that paradise is threatened by a project that is beyond excessive and extreme. We never dreamed that the wonderful, rugged hill that rises so steeply just a half block from our home could be destroyed by a developer. The end result will be an eyesore of massive retaining walls and rows of houses that do not respect the natural landscape forms. The hill will be butchered.

45-1

We, also, have grave concerns about the amount and type of pollution that we will be subjected to with this development. Statistics show that these pollutants can cause severe health problems and even deaths among seniors, young children and those susceptible to respiratory illnesses. My husband has a severely compromised immune system due to two illnesses – Giant Cell Arteritis and Blastomycosis. It is dreadful to think that the toxic pollutants produced by the extensive grading and the diesel fumes in this 4-5 year project would almost certainly damage his health further and possibly cause his death.

45-2

The disruptive and extensive duration of this 4-5 year project, the impact on traffic and sewers during and after completion, and most importantly the negative impact in all respects on the quality of life of the neighborhood, both short and long term, all combine to be nothing less than a horror story.

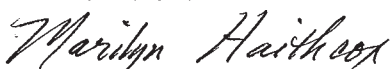
45-3

We do sincerely hope that your California sensibilities and wisdom will stand up for the environment and the neighborhood residents and put an end to this development so that we may continue to coexist serenely with Water Tank Hill and enjoy our lives in this tranquil setting.

45-4

Sincerely yours,

Marilyn (Lyn) Haithcox



J. Patrick Haithcox



Response to Comment Letter 45
Marilyn and Patrick HaithcoxResponse 45-1

This comment expresses the opinion about the proposed project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. Refer to Topical Response 3, Standards for Responses to Comments and Focus of Review of Commenters. Regarding the comment about the project being an eyesore, refer to Section IV.A, Aesthetics, of the DEIR for an analysis of the aesthetics impacts related to the project.

Response 45-2

Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction regarding the commenter's concern about health problems created by the project's construction phase. Refer also to Topical Response 6, Construction Phasing and Schedule regarding the duration of the grading and construction phase of the project.

Response 45-3

Refer to Topical Response 6, Construction Phasing and Schedule regarding the duration of the grading and construction phase of the project. Also, refer to Topical Response 7, Construction Traffic Impacts, regarding the commenter's concern that about traffic during construction. With respect to operational traffic impacts (after construction of the project), refer to Section IV.I, Transportation/Traffic, of the DEIR which found these impacts to be less than significant with the exception of road widths and road grades which were found to be *significant* but can be reduced to less-than-significant levels via implementation of Mitigation Measures TRANS-3 and TRANS-4 on pages IV.I-23 and IV.I-24 of the DEIR, respectively.

Regarding the project's impacts to sewers, refer to Section IV.J.1, Sewer, of the DEIR for an analysis of potential sewer impacts associated with the project.

Response 45-4

This comment provides a closing statement but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

From: "Suzanne Kennedy" <suzannekennedy1@yahoo.com>
To: <jcastaneda@co.sanmateo.ca.us>
Date: 9/9/2009 00:30
Subject: Proposed Ascension Heights Subdivision Questions and Statement

James Castaneda and the San Mateo County Planning Commission,

I am extremely concerned about the proposed Ascension Heights subdivision project and the serious threats the project presents to the health of my family. I am the mother of three small children, ages 1, 3 and 5. We live on Los Altos Drive in the San Mateo Oaks neighborhood— extremely close to proposed project site. I cannot stress how upset and concerned I am about the health risks that my young children will face if this project proceeds as planned. These concerns are tantamount to me and feel that the EIR clearly supports my concerns.

46-1

Young children are especially affected by air pollution (considered sensitive receptors). The EIR states that there will be "significant and unavoidable impact to air quality during the construction and grading phase". Living as close as we do to this project, I am petrified to think of my children breathing in the pollution and particles this project would generate. This would have a huge impact on their health. How can I let them play outside or even open our windows for the years this project would continue? What is the added risk to my children and all children in the neighborhood of developing asthma from living through such a project during their most vulnerable development?

The EIR also states that there will significant and unavoidable impact due to noise. This also has a huge impact on my children as they still nap during the day and play outside year-round. This will impact all babies and young children in the surrounding neighborhoods.

46-2

Finally, I am extremely concerned about the truck traffic on the neighborhood streets. We currently take frequent walks throughout the neighborhood and surrounding neighborhoods. How can I allow my children to walk or be walked along routes where there are construction trucks traveling every 90 seconds during the day? This would be far too dangerous for us or any family with young children.

46-3

In conclusion, I am vehemently opposed to the proposed project. It is a clear and serious threat to the health of my children and all children in the existing neighborhoods. I would like to go on record with my opposition and stress the urgency of these matters to the Planning Commission in their consideration.

46-4

Sincerely,
Suzanne Kennedy
1745 Los Altos Dr
San Mateo, CA 94402
650-571-6244

Response to Comment Letter 46
Suzanne Kennedy

Response 46-1

Regarding the comment about the project posing serious threats to the health of the commenter's family, refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction.

Response 46-2

Regarding the comment that the EIR states that there will be a significant and unavoidable impact due to noise, refer to Topical Response 8, Construction and Operational Noise Impacts.

Response 46-3

Refer to Topical Response 7, Construction Traffic Impacts, regarding the commenter's concerns about truck traffic associated with the construction phase of the project.

Response 46-4

This comment provides a closing statement but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

From: "Suzanne Kennedy" <suzannekennedy1@yahoo.com>
To: <jcastaneda@co.sanmateo.ca.us>
Date: 9/9/2009 13:54
Subject: Proposed Ascension Heights subdivision

San Mateo County Planning Commission,

My husband and I attended the public comment meeting this morning and I have a further comment and request. As was clear from the attendees present, there are a significant number of people over the age of 65 and under the age of 15 that live in the immediate vicinity of the proposed development. As is clearly stated in the DEIR, people in these age groups are particularly vulnerable to air pollutants, considered "sensitive receptors". An accurate survey or census of the surrounding neighborhoods to properly assess how many individuals fall into this category is VITAL to assessing the magnitude of the population that would be adversely affected by the project.

To me, as a mother of three small children (ages 5 and under), the "significant and unmitigatable" health impacts that will face my family alone are beyond upsetting. But we are not alone. So many of our neighbors are young families or the elderly. The Commission should know exactly how many people fall into these groups. How else can the cost of this project on our community's health be assessed?

47-1

Respectfully,
Suzanne Kennedy
1745 Los Altos Dr
San Mateo, CA

Response to Comment Letter 47**Suzanne Kennedy**Response 47-1

Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction regarding the comment about sensitive receptors in the project area that are particularly vulnerable to air pollutants. Page IV.B-5 of the DEIR provides the following description for sensitive receptors:

Some groups of people are more affected by air pollution than others. CARB has identified the following people who are most likely to be affected by air pollution: children under 14, the elderly over 65, athletes, and people with cardiovascular and chronic respiratory diseases. These groups are classified as sensitive receptors. Locations that may contain a high concentration of these sensitive population groups include residential areas, hospitals, daycare facilities, elder care facilities, elementary schools, and parks.

While a comprehensive survey of the surrounding neighborhoods to assess how many sensitive receptors live in the project area was not conducted as part of the DEIR, the project site is located in a residential neighborhood and based on the comments received on the DEIR, many residents in the area are over 65 years in age as well as under 14 years in age, and some of the commenters may have cardiovascular and chronic respiratory diseases.

County of San Mateo
Attn: James A. Castaneda, Project Planner
455 County Center, Second Floor
Redwood City, California 94063

Re: Ascension Heights Subdivision

Dear Mr. Castaneda

The DEIR document for the proposed Ascension Heights Subdivision contains some apparent contradictions.

Construction work will occur between 8:00 and 4:30

Export truck traffic (hauling) to occur between 10:00 and 3:00

But "hauling of export soil during the grading phase..would be limited to no longer than 11 Hours per day." This does not make sense to me.

48-1

I am still concerned regarding the effect of grading on the area and the stability of the soil. Those of us who have lived here for many years remember several serious slides in the area. The most recent necessitating the closure of Polhemus for several months. One need only walk along Ascension across from the property to see areas of deep erosion.

48-2

Sincerely,

Barbara Charpiot
Barbara Charpiot
1354 Enchanted Way

RECEIVED
2009 SEP 10 A 11:05
SAN MATEO COUNTY
PLANNING DIVISION

Response to Comment Letter 48
Barbara CharpiotResponse 48-1

The air quality analysis on page IV.B-19 of the DEIR assumes an average soil haul export time frame per day of 11 hours. In an effort to reduce the project's noise impacts during construction, the first bullet of Mitigation Measure Noise-1 on page IV.G-13 of the DEIR requires that construction activity shall be limited to the hours of 8:00 AM and 4:30 PM Monday through Friday. This same mitigation measure is included in the second bullet of Mitigation Measure TRANS-6 on page IV.I-26 of the DEIR to reduce the project's construction traffic impacts. Also, the third bullet of Mitigation Measure Noise-1 on page IV.G-13 of the DEIR requires that soil export from the site shall be limited to between the hours of 10:00 AM and 3:00 PM in an effort to reduce the noise impacts associated with soil haul truck trips. This same mitigation measure is included in the third bullet of Mitigation Measure TRANS-6 on page IV.I-26 of the DEIR to reduce the project's traffic and public safety impacts.

Response 48-2

Refer to Topical Response 2, Landslides and Slope Instability regarding the commenter's concern about grading of the site, the stability of the soil and landslides in the project area.

County of San Mateo, Planning and Building Department
Attn: James A. Castañeda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94063-1662

Re: Ascension Heights Subdivision, Public Comments *PLN 2002-00517*
DRAFT ENVIRONMENTAL IMPACT REPORT

Dear Mr. Castañeda,

I feel that these questions should be addressed in the DEIR.

Questions:

Is there sufficient water capacity in the existing tank to serve existing as well as any new customers served by that tank? If not, how will this problem be addressed.

What, if any, compensation is being provided for the buy in to capital costs of existing systems for the following services in the area (that have been paid for by the current users of those services)?

Stormwater
Sewer
Fire
Lighting
Access roads

What, if any compensation is being provided for expansion of services for the abovementioned?

What, if any, compensation is being provided to the County for excessive wear and tear on roads in the area due to the movement of extensive amounts of heavy materials (dirt and debris)?

This relatively small project is anticipated to have a 4.5 to 5 year build out. Why?

What measures are to be taken to assure that air quality continues to be acceptable during development (including the grading and construction phases)? The DEIR directs only that guidelines should be implemented. A level of significance after mitigation of "significant an unavoidable" should not be acceptable.

What assurances or monitoring are provided to assure that air quality mitigation measures will, in fact, be taken.

Sincerely,

Pat Dubron
1705 Los Altos Dr
San Mateo, CA 94402

49-1

49-2

49-3

49-4

49-5

49-6

49-7

Response to Comment Letter 49**Pat Dulrem**Response 49-1

Regarding the comment as to if there is sufficient water in the existing tank to serve existing and new customers, refer to Section IV.J.2, Water, of the DEIR which describes that Cal Water has stated that it is prepared to extend water service to the site and overall no significant water supply impacts would occur from the project.

Response 49-2

Regarding the comment about what compensation would be provided by the applicant for various utilities and public services, the project applicant will be required to pay impact fees and utility connection fees as part of the project.

Regarding provisions for road repair should roadway damage occur as part of the project soil haul exporting, the last bullet under Mitigation Measure TRANS-6 on page IV.I-26 of the DEIR states:

- As a condition of the grading permit required of the project applicant by the County, the applicant shall be responsible for the repair of any damage to roads resulting from the export of soil from the project site. Such repair shall be to the satisfaction of the San Mateo County Department of Public Works.

Response 49-3

Refer to Response to Comment 49-2.

Response 49-4

Refer to Response to Comment 49-2.

Response 49-5

It is anticipated that the home construction phase of the project has been scheduled so as to respond to market demand. Refer to Topical Response 6, Construction Phasing and Schedule.

Response 49-6

Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction, for a list of air quality mitigation measures that are required for the grading and construction phase of the project. Operational (after construction) air quality impacts were found to be less than significant in the DEIR, and therefore, no mitigation measures are required for these less-than-significant impacts.

Regarding the implementation and enforcement of the DEIR mitigation measures, refer to Response to Comment 24-2.

In addition, when a Lead Agency approves a project that would result in significant and unavoidable impacts that are disclosed in the EIR, the agency must state in writing its reasons for supporting the approved action (CEQA Guidelines Section 15093[b]). This statement of overriding considerations must be supported by substantial information in the record, including the FEIR. Because the proposed project would result in significant and unavoidable impacts related to short-term air quality and noise impacts during the construction phase (specifically grading), the County would be required to adopt a statement of overriding considerations if it approves the project.

Response 49-7

Refer to Response to Comments 49-8.

1574 Parrott Drive
San Mateo, CA 94402

James A. Castaneda
County of San Mateo
Planning & Building Department
455 County Center, 2nd Floor
Redwood City, CA 94063-1662

Re: Proposed Development of Watertank Hill

Dear Mr. Castaneda,

I had a Grandfather who used to say "money counts". In my ninety-three years I have seen he was right most of the time.

Now I would hope the Powers-That-Be would say no to the "moneyed" planning developers of our Watertank Hill. Not only for the mess, dust, noise and traffic that would incur, but benefits of the natural hill and the wild life that abound there would cease to exist.

Why do we have to let developers fill every undeveloped spot? They come, do their projects and leave. We are left with less Open Space.

Please consider these aspects before making your decision.

Yours truly,

Elsie W. Wright

Elsie W. Wright

Response to Comment Letter 50**Elsie Wright**Response 50-1

Regarding comments about the project creating dust, traffic and noise, refer to: Topical Response 1, Air Quality Impacts and Health Risk During Construction; Topical Response 7, Construction Traffic Impacts; and Topical Response 8, Construction and Operational Noise Impacts, respectively. Regarding operational traffic impacts, refer to Response to Comment 17-1. Also, refer to Section IV.C, Biological Resources, of the DEIR which concludes that biological resources impacts associated with the project would be less than significant after mitigation measures are implemented.

The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

County of San Mateo, Planning and Building Department
Attn: James A. Castaneda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94063-1662

Re: Ascension Heights Subdivision, Public Comments

Dear Mr. Castaneda:

The neighbors immediately adjacent to the Ascension Heights proposed construction are concerned about the number of proposed houses, the multi-year construction period, extensive amount of soil disturbance, probability of serious health problems for nearby occupants and extensive disruption to their lives for 4-5 years.

51-1

Our neighborhood sewer assessments have increased substantially. I understand the lateral connections from our houses may allow ground water to enter the sewer system requiring us to pay the City of San Mateo to enlarge their treatment plant. The enormous amount of heavy traffic (20 cu yd trucks) along city streets may break these laterals requiring home owners to pay for their repair. Will the developer be required to reimburse the homeowners for the broken laterals as well as re-surfacing the streets?

51-2

The traffic to CSM is very busy almost every hour as classes let out and begin. How much worse will the traffic be once construction and earth movement begins—what does the traffic model illustrate?

51-3

I am very concerned about the cost and effort required to clean up all the dust that will cover my property for many years since the graded land will not be re-planted until completion of the project. I do not see anything in the DEIR addressing cleaning the tremendous amount of dust that will accumulate on my property.

51-4

In the DEIR, there are no calculations of grading volumes required for individual lot construction. The large volume of graded material for individual lots would need to be exported off site. Off hauling large volumes of material will further impact neighboring roadways, traffic, air quality, and noise. These impacts have been explicitly excluded from the DEIR calculations but they will continue to affect the neighborhood over the entire 5-year period house construction.

51-5

Sincerely,

Else Welch

Else Welch,

1550 Parrott Drive

San Mateo, CA 94402-3605

Response to Comment Letter 51**Else Welech**Response 51-1

Refer to Topical Response 6, Construction Phasing and Schedule, regarding the comment about the project's multi-year construction period, and to Topical Response 1, Air Quality Impacts and Health Risk During Construction regarding the commenter's concern about health problems created by the construction phase of the project.

Response 51-2

Regarding provisions for road repair should roadway damage occur as part of the project soil haul exporting, the last bullet under Mitigation Measure TRANS-6 on page IV.I-26 of the DEIR states:

- As a condition of the grading permit required of the project applicant by the County, the applicant shall be responsible for the repair of any damage to roads resulting from the export of soil from the project site. Such repair shall be to the satisfaction of the San Mateo County Department of Public Works.

Refer to Topical Response 7, Construction Traffic Impacts.

Provided the mitigation measures listed in the DEIR are adequately implemented and monitored, damage of sewer laterals connecting to off-site homes is not anticipated to occur as a result of the proposed project.

Response 51-3

Regarding the commenter's question about how much worse traffic will be once construction and grading begins, refer to Topical Response 7, Construction Traffic Impacts. Refer to Response to Comment 17-1 for a discussion of the project's operational traffic impacts.

Response 51-4

Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction.

Response 51-5

As discussed on page III-37 of the DEIR, project grading activities include cut (earth removal) and fill of earthwork, creation of engineered slopes and stepped foundations, installation of retaining walls. Approximately 131,480 cubic yards (cy) of earth material would be graded for the proposed project on slopes averaging 40 percent (see Figure III-18 of the DEIR). Specifically, the grading phase of the proposed project would require approximately 96,000 cy of cut material (with a maximum depth of 25 feet) and 35,480 cy of fill material (with a maximum depth of 10 feet). Approximately 60,520 cy of soil would be exported from the site to an off-site location. No additional details are available at this time regarding the

amount of grading that would be required for each lot; however, the majority of the grading for the proposed project would occur within the first phase of the project. Grading of each lot would not involve the same use of soil haul trucks, in terms of frequency and duration, as would be required for the initial grading phase for the project. The DEIR analyzes the impacts associated with project grading (e.g. truck trips, air quality and noise) based on the information that is available and identified significant and unavoidable air quality and noise impacts during this initial grading phase, and significant but mitigatable impacts related to construction traffic.

Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction, and to Topical Response 7, Construction Traffic Impacts. Also, refer to Topical Response 6, Construction Phasing and Schedule and to Topical Response 8, Construction and Operational Noise Impacts.

TO: County of San Mateo, Planning and Building Department
 Attn: James A. Castaneda, Project Planner
 455 County Center, 2nd Floor
 Redwood City, CA 94036-1662

RE: Comments on the DEIR for Ascension Heights Subdivision, SCH #2003102061

My family and I have lived in our home on Parrott Drive, San Mateo, for over 14 years. We enjoy walking around the neighborhood, going to the Farmer's market, and gardening or playing in our backyard. This is our home. This is our neighborhood. After reviewing the project proposal in the DEIR, I am very concerned and scared about what's in the DEIR as well as what's not been disclosed in the report. I wanted to summarize the key issues that I see that will affect my family and our neighborhood: Serious health issues from the excessive pollution during construction, large monetary losses due to damaged homes from building on too steep of a hill, and safety problems stemming from the large amounts of trucks travelling back and forth from the site.

52-1

The biggest issue in my opinion are the increased health risks. All three of my children and I have allergies. We also have many seniors and infants living in the area. With the amount of pollution coming from all of the dirt and diesel exhaust during the rough grading of the hill, the street construction, and the grading required for each home site, this will create a huge increase in dangerous particles that we will all be breathing in every day for 4.5 years.

I'm concerned and scared that the the DEIR doesn't adequately address the risks from this prolonged exposure. Will my family be sick more often? Do I need to wear a mask or respirator when I go outside during the construction? Are there some days when we should just stay inside or leave the area totally? How wide of an area will be affected by these particles? How many seniors and infants live in the area and how will their lives be affected? Has the risk to their health been adequately assessed? Will they be affected by asthma, lung disease, and possibly death. I'm scared of these unknowns. We need to have the health risks adequately and completely understood and disclosed before this project can go any further.

52-2

I'm also very concerned about the stability of homes that are built on this hill. The areas around the proposed site are unstable and there have been many landslides on other hills in the neighborhood. If you have walked up the water company's access road, you know how steep the hill is. When you get to the top of the hill and look all around you, it's unbelievable that anyone would try to build 25 homes on this site. I'm not sure that the DEIR has adequately assessed the risk on building on such a steep slope. I'm concerned that 10 years from now, we could have a serious mudslide, causing huge damage to the new homes as well as to the existing homes below them. This could result in a large monetary losses for the homeowners as well as for county taxpayers.

52-3

Finally, the excessive traffic during the construction period has not been adequately assessed in the DEIR. Bel Aire Road, Laurie Lane, Parrott Drive, and CSM drive were not designed to handle the size and frequency of the truck traffic. Many in the neighborhood don't see how these large trucks can make turns on these narrow roads without veering into the opposite lane. Also, what if there are parked cars on the streets or cars stopped at the intersection. The DEIR doesn't adequately study how these large trucks will be able to navigate the proposed route.

52-4

The increased traffic on W. Hillsdale Blvd was not properly studied. There is already a lot of traffic on this street from students at the College of San Mateo, and it's not clear how the current traffic will be

52-5



affected from the additional trucks during the construction phase. Also, as most of the residents know, some of the cars go pretty fast on these streets, and these large trucks could cause some dangerous traffic situations.

52-5

This project will adversely impact the neighborhood for 4.5 years. I don't feel that the DEIR has adequately assessed the impact that this project will have on the community. I don't feel that the County's Agencies have enough information to make the correct decision. I feel that the DEIR should be revised and recirculated in it's entirety.

52-6

Sincerely,



Craig Nishizaki
1474 Parrott Drive
San Mateo, CA

94402

Response to Comment Letter 52
Craig NishizakiResponse 52-1

This comment introduces ensuing comments, which are addressed in Responses 52-2 through 52-6, below.

Response 52-2

Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction regarding the commenter's concerns about increased health risks from the project construction phase. Also, refer to Response to Comment 51-5 regarding the grading required for each home or lot, and to Topical Response 6, Construction Phasing and Schedule.

Response 52-3

Refer to Topical Response 2, Landslides and Slope Instability regarding the commenter's concern about the stability of homes proposed to be built on the project site.

Response 52-4

Regarding the comment concerning excessive truck traffic from the project during the construction period, refer to Topical Response 7, Construction Traffic Impacts. The truck haul route described in the DEIR (page IV.I-26) was chosen to minimize the number of residential streets used by the trucks, and because of the existing traffic volumes and steep grade on Ascension Drive. However, the commenter's concern regarding the haul route will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 52-5

Refer to Response to Comment 52-4.

Response 52-6

Refer to Topical Response 6, Construction Phasing and Schedule. Refer to Topical Response 4, Recirculation of the DEIR, regarding the commenter's assertion that the DEIR should be revised and recirculated in its entirety.

8/1/09

County of San Mateo, Planning and Building Department
Attn: James A. Castañeda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94063-1662

Re: Ascension Heights Subdivision, Public Comments

Dear Mr. Castañeda:

I am very concerned about the possibility of having the Ascension Heights Subdivision in our neighborhood.

In addition to all the other concerns I could mention, one huge question concerns the water tank.

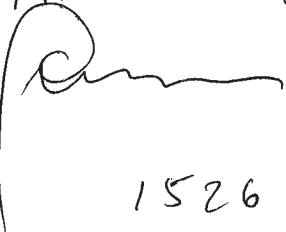
What is the likelihood the grading would undercut the supports for the tank and would thus increase the probability of tank failure in an earthquake?

53-1

This tank may be our only source of water for fire fighting after an earthquake. I see no mention of precautions to prevent this disaster in the EIR.

Sincerely,

Andrew Quon

 7/31/09

1526 Parrott Dr.
San Mateo, CA
94402

Response to Comment Letter 53**Andrew Quon**Response 53-1

The commenter asks what is likelihood that project grading would undercut the supports for the water tank at the top of the hill where the project site is located and thus would it increase the probability of tank failure during an earthquake. As illustrated in Figures IV.D-3 and IV.D-4 on pages IV.D-8 and IV.D-9 of the DEIR, respectively, grading of the project site would not result in any undercutting of the supports for the water tank. Refer also to Topical Response 2, Landslides and Slope Instability.

8/1/09

County of San Mateo, Planning and Building Department
Attn: James A. Castañeda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94063-1662

Re: Ascension Heights Subdivision, Public Comments

Dear Mr. Castañeda:

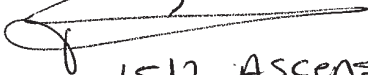
After looking over the DEIR document on the proposed Ascension Heights Subdivision, I am wondering why the County is willing to consider the developer's request to build.

Why should a developer be allowed to enter a mature neighborhood and create such disruption, health hazards and overall impact on those of us who have lived here for years?

54-1

Sincerely,

AFS: ~~Grave~~



1512 Ascension dr.

San Mateo, ca 94402

Response to Comment Letter 54**Afsi Givechi**Response 54-1

This comment expresses the opinion about the proposed project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. Refer to Topical Response 3, Standards for Responses to Comments and Focus of Review of Commenters. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Also, refer to: Topical Response 1, Air Quality Impacts and Health Risk During Construction; Topical Response 7, Construction Traffic Impacts; and to Topical Response 8, Construction and Operational Noise Impacts.

ANNORENA GUNN
1514 PARROTT DRIVE
SAN MATEO CA 94402

01 August 2009

Comment Letter No. 55

County of San Mateo, Planning and Building Department
Attn: James A. Castañeda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94063-1662

Re: Ascension Heights Subdivision, Public Comments

Dear Mr. Castañeda,

I am addressing the DEIR regarding the Ascension Heights Subdivision.

In previous neighborhood presentations regarding this project, we learned that naturally occurring asbestos may be contained in the dust that would be generated by this construction.

55-1

I do not find any reference to monitoring, control or risk associated with asbestos contained in the soil.

Sincerely,

Honorable Annorena A. Gunn
"Whispering Smoke" Pompa Tribe Indian

Response to Comment Letter 55

Anndrena Gunn

Response 55-1

Refer to Response to Comment 40-1 regarding the commenter's concern about naturally occurring asbestos.

8/1/09

County of San Mateo, Planning and Building Department
Attn: James A. Castañeda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94063-1662

Re: Ascension Heights Subdivision, Public Comments

Dear Mr. Castañeda:

The DEIR document indicates heavy diesel truck traffic during the grading and construction of the proposed Ascension Heights Subdivision.

56-1

The traffic to CSM will follow the same path as the trucks. Student traffic is very busy almost every hour during the day as classes begin and end.

56-2

How much worse will the traffic be once construction and earth movement begin? Doesn't this combination present a safety issue for our streets and residences?

Sincerely,

Caron Tabb
1556 Parrott Dr.
San Mateo, CA 94402
650 - 525-0460

Response to Comment Letter 56

Caron Tabb

Response 56-1

Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction.

Response 56-2

Refer to Topical Response 7, Construction Traffic Impacts.

8/1/09

County of San Mateo, Planning and Building Department
Attn: James A. Castañeda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94063-1662

Re: Ascension Heights Subdivision, Public Comments

Dear Mr. Castañeda:

The DEIR document indicates heavy diesel truck traffic during the grading and construction of the proposed Ascension Heights Subdivision.

57-1

The traffic to CSM will follow the same path as the trucks. Student traffic is very busy almost every hour during the day as classes begin and end.

57-2

How much worse will the traffic be once construction and earth movement begin? Doesn't this combination present a safety issue for our streets and residences?

Sincerely,

Frank Shuster
1583 Ascension Dr
San Mateo CA 94402.

Response to Comment Letter 57
Frank Shissler

Response 57-1

Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction.

Response 57-2

Refer to Topical Response 7, Construction Traffic Impacts.

August 1, 09

County of San Mateo, Planning and Building Department
Attn: James A. Castañeda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94063-1662

Re: Ascension Heights Subdivision, Public Comments

Dear Mr. Castañeda,

I live near the intersection of Ascension and Bel Aire Drive where the proposed Ascension Heights Subdivision would be located.

I notice in the DEIR that no provision is made for a sidewalk along the perimeter of the project as it touches this intersection. This will be a significant inconvenience, and more important, a safety issue for residents of our area as they walk in the neighborhood.

58-1

In addition, there is no provision to repair the existing erosion on the hill at this intersection. It is a safety and esthetic problem that needs to be addressed by the developer.

58-2

Sincerely, Helen R Hann

Helen R. Hann
1383 Enchanted Way
San Mateo, Ca. 94402-3647

Response to Comment Letter 58**Helen Hann**Response 58-1

The commenter is correct that the proposed project does not include sidewalks along Bel Aire Road or Ascension Drive. While the commenter suggests that this represents a significant inconvenience and a safety issue for residents in the project area as they walk in the neighborhood, the lack of sidewalks along Bel Aire Road or Ascension Drive at the project site is an existing condition. Sidewalks exist on the opposite sides of Bel Aire Road and Ascension Drive from the project site.

Pages IV.I-25 and IV.I-26 of the DEIR describe the amount of truck trips and associated traffic impacts that would occur during the project's construction phase. These impacts were found to be ***potentially significant*** but could be reduced to less-than-significant levels with the implementation of Mitigation Measure TRANS-6 on page IV.I-26 of the DEIR. Mitigation Measure TRANS-6 includes but is not limited to the following measures to ensure that construction traffic impacts and traffic safety impacts during construction would be less than significant:

- The haul route streets shall be limited to SR 92, West Hillsdale Drive, CSM Drive, Parrott Drive, Laurie Lane, and Bel Aire Road. That would minimize the number of residential streets used by trucks. Trucks shall not utilize Ascension Drive because of the existing traffic level and the steep grade.
- Construction activity shall be limited to the hours of 8:00 AM and 4:30 PM Monday through Friday. No activity or staging shall occur outside these hours.
- To minimize impacts to traffic and public safety, truck traffic for soil export from the project site shall be limited to between the hours of 10:00 AM and 3:00 PM.
- Loaded trucks shall be limited to a maximum speed of 20 mph when operating in residential areas.
- No staging of trucks or construction equipment shall occur within the adjacent residential area at any time.
- Temporary "truck crossing" signs shall be placed in both directions on Bel Aire Road near the site entrance. Flagmen shall be used, as necessary, to control traffic during the arrival and departure of trucks and equipment.
- Construction workers shall be required to park on-site, i.e., no parking on Bel Aire Road or Ascension Drive.

The mitigation measures listed above, in addition to the availability of sidewalks on the opposite sides of Bel Aire Road and Ascension Drive from the project site, would ensure that traffic safety impacts would not be significant. However, the commenter's concern regarding the lack of sidewalks along Bel Aire Road or Ascension Drive at the project site will be forwarded to the decision makers for their consideration in their review of the proposed project.

Response 58-2

Page III-25 of the DEIR states that the 0.45-acre proposed undisturbed and protected area would be included within the southwest corner of the project site. This area would be maintained through the implementation of a conservation easement. As part of the proposed project, the existing on-site drainage improvements within this area will be removed. This area would be the responsibility of the HOA with regards to maintenance. A formal agreement would be determined at a later date.

While the existing erosional feature at the site's corner of Bel Aire Road and Ascension Drive would remain within the proposed conservation area, a new storm drain system would be installed on the site to ensure that runoff is adequately conveyed off-site to existing storm drains. Runoff that currently flows over land, uncontrolled, at the site would be redirected into the proposed drainage system, thereby reducing the potential for erosion over the existing condition. Adequate implementation and monitoring of the mitigation measures included in DEIR would ensure that erosion impacts would be less than significant.

While the commenter notes that the erosional feature at the site's corner of Bel Aire Road and Ascension Drive is an aesthetic problem, it is noted that this is an existing condition and Section IV.A, Aesthetics, determined that project impacts related to aesthetics would be less than significant. Also, refer to Topical Response 9, Erosion Impacts.

Fiona and Ian Small
123 Lakeshore Drive
San Mateo, CA 94402

408.252.3522
iss@cogentmind.com

August 1, 2009

County of San Mateo, Planning and Building Department
Attn: James A. Castañeda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94063-1662

Dear Mr. Castañeda,

Re: Ascension Heights Subdivision - Public Comments

My wife and I moved into this neighborhood 3 years ago and have greatly enjoyed its tranquility and closeness to nature. We have recently found out about the proposed Ascension Heights Subdivision project and are greatly concerned about a number of issues relating to it based on the Draft Environmental Impact Report:

59-1

- The proposed timeline of the project (4-5 years) has the potential to significantly degrade the neighborhood for an inordinate length of time. Over a period of years, we can reasonably expect elevated dust levels, daytime noise and increased construction traffic. This does not strike us as a reasonable impact on an established neighborhood - all for building fewer than 30 houses.

59-2

- Knowing the water tower hill well (we walk past it daily with our dog), we are greatly concerned that the project may exacerbate erosion in the area. Furthermore, the lack of provision for sidewalks would appear to increase risk for those of us who walk in the area - traffic will increase (both during and after construction), and safety will decrease accordingly.

59-3

- The Subdivision area is in plain sight from our back yard. The stated plan to light the area at night to secure construction equipment is completely unacceptable - this night-time lighting may make it difficult to sleep and will create a semi-permanent eyesore by night. Wouldn't a security guard suffice?

59-4

- Finally, the roads in our area are in poor enough condition already; running hundreds or thousands of truckloads of debris over them is only going to make them worse. We see no provision for road repair and resurfacing in the proposal.

59-5

Nobody wants a lot of building going on in their neighborhood. There's nothing new about that, but progress must go on. The way this progress is being planned, however, does an enormous disservice to existing residents over an incredibly prolonged period of time. If building has to go on, it should be done rapidly and with a minimum of disturbance. The plan as described in the DEIR appears to go to the opposite extreme.

59-6

Sincerely yours,



Ian Small



Fiona Small

Response to Comment Letter 59**Ian and Fiona Small**Response 59-1

This comment introduces ensuing comments, which are addressed in Responses to Comments 59-2 through 59-6, below.

Response 59-2

Regarding the length of the construction period, refer to Topical Response 6, Construction Phasing and Schedule. Regarding the commenter's concerns about dust during construction, Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction. Refer to Topical Response 7, Construction Traffic Impacts regarding the comment concerning increased construction traffic. Regarding noise impacts during construction, refer to Topical Response 8, Construction and Operational Noise Impacts.

Response 59-3

Regarding the potential erosion impacts from the project, refer to Topical Response 9, Erosion Impacts.

The commenter is correct that the proposed project does not include sidewalks along Bel Aire Road or Ascension Drive, and that the project will increase traffic in the project area during the construction and operational phases of the project. As described in Impact TRANS-1 on page IV.I-17 of the DEIR, during the operational phase of the project, the project would generate approximately 239 average daily trips, or 19 vehicle trips in the AM peak hour (7:00 AM to 9:00 AM) and 25 vehicle trips in the PM peak hour (4:00 PM to 6:00 PM). The results show that traffic increase on the all study roadway segments would be ***less than significant***, as the increase would not exceed the capacity of the particular roadway segment. Given this level of traffic during the operational phase of the project and that sidewalks exist on the opposite sides of Bel Aire Road and Ascension Drive from the project site, traffic safety impacts associated with the operational phase of the project would be less than significant.

Pages IV.I-25 and IV.I-26 of the DEIR describe the amount of truck trips and associated traffic impacts that would occur during the project's construction phase. These impacts were found to be ***potentially significant*** but could be reduced to less-than-significant levels with the implementation of Mitigation Measure TRANS-6 on page IV.I-26 of the DEIR. Mitigation Measure TRANS-6 includes but is not limited to the following measures to ensure that construction traffic impacts and traffic safety impacts during construction would be less than significant:

- The haul route streets shall be limited to SR 92, West Hillsdale Drive, CSM Drive, Parrott Drive, Laurie Lane, and Bel Aire Road. That would minimize the number of residential streets used by trucks. Trucks shall not utilize Ascension Drive because of the existing traffic level and the steep grade.

- Construction activity shall be limited to the hours of 8:00 AM and 4:30 PM Monday through Friday. No activity or staging shall occur outside these hours.
- To minimize impacts to traffic and public safety, truck traffic for soil export from the project site shall be limited to between the hours of 10:00 AM and 3:00 PM.
- Loaded trucks shall be limited to a maximum speed of 20 mph when operating in residential areas.
- No staging of trucks or construction equipment shall occur within the adjacent residential area at any time.
- Temporary “truck crossing” signs shall be placed in both directions on Bel Aire Road near the site entrance. Flagmen shall be used, as necessary, to control traffic during the arrival and departure of trucks and equipment.
- Construction workers shall be required to park on-site, i.e., no parking on Bel Aire Road or Ascension Drive.

The mitigation measures listed above, in addition to the availability of sidewalks on the opposite sides of Bel Aire Road and Ascension Drive from the project site, would ensure that traffic safety impacts would not be significant. However, the commenter’s concern regarding the lack of sidewalks along Bel Aire Road or Ascension Drive at the project site will be forwarded to the decision makers for their consideration in their review of the proposed project.

Response 59-4

The commenter is correct that page IV.A-27 of the DEIR mentions the possibility to light the project site at night during the project’s construction phase; however, this is not currently proposed as part of the project. Instead, page IV.A-27 of the DEIR mentions that all construction activities would cease after 4:30 PM, Monday through Friday, unless an alternative schedule is deemed to be necessary by the County in order to expedite construction. Given the site is situated in a residential neighborhood and is visible from many off-site locations, including from the commenter’s backyard, lighting of the project site at night during the construction phase is not anticipated.

Response 59-5

Regarding provisions for road repair should roadway damage occur as part of the project soil haul exporting, the last bullet under Mitigation Measure TRANS-6 on page IV.I-26 of the DEIR states:

- As a condition of the grading permit required of the project applicant by the County, the applicant shall be responsible for the repair of any damage to roads resulting from the export of soil from the

project site. Such repair shall be to the satisfaction of the San Mateo County Department of Public Works.

Refer to Topical Response 7, Construction Traffic Impacts.

Response 59-6

Regarding the length of the construction phase for the proposed project, refer to Topical Response 6, Construction Phasing and Schedule.

8/1/09

County of San Mateo, Planning and Building Department
Attn: James A. Castañeda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94063-1662

Re: Ascension Heights Subdivision, Public Comments

Dear Mr. Castañeda:

The DEIR document indicates heavy diesel truck traffic during the grading and construction of the proposed Ascension Heights Subdivision.

60-1

The traffic to CSM will follow the same path as the trucks. Student traffic is very busy almost every hour during the day as classes begin and end.

60-2

How much worse will the traffic be once construction and earth movement begin? Doesn't this combination present a safety issue for our streets and residences?

Sincerely,

Jane Strauch
108 C.S.M. Dr.
San Mateo, CA 94402

Response to Comment Letter 60
June Strauch

Response 60-1

Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction.

Response 60-2

Refer to Topical Response 7, Construction Traffic Impacts.

8/1/09

County of San Mateo, Planning and Building Department
Attn: James A. Castañeda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94063-1662

Re: Ascension Heights Subdivision, Public Comments

Dear Mr. Castañeda,

I am a resident of San Mateo County who lives near the proposed Ascension Heights Subdivision. I have perused the DEIR for the project and am very concerned about the cost and effort that will be required to clean up the dust that will cover my land and home, inside and out. The graded land will not be re-planted until completion of the project (4 to 5 years). In the meantime, we will suffer the consequences of constant dust everywhere.

I do not see anything in the DEIR addressing clean-up of the tremendous amount of dust that will accumulate everywhere near the subdivision. I need to see that the developer will be required to pay for these costs.

61-1

Sincerely,



Kevin Tabb

1556 Parrott Dr.

San Mateo, CA 94402

(650) 525-0460

Response to Comment Letter 61
Kevin Tabb

Response 61-1

Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction.

8/1/09

County of San Mateo, Planning and Building Department
Attn: James A. Castañeda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94063-1662

Re: Ascension Heights Subdivision, Public Comments

Dear Mr. Castañeda:

I am wondering if the developer for the proposed Ascension Heights development will be required to pay for the repair to our neighborhood streets caused by the thousands of diesel truck loads past our homes.

I am also wondering if he will be required to pay for any breakage of sewer laterals connecting our houses to the sewer system.

62-1

Sincerely,

Marjorie S. Pitkin
1411 Enchanted Way
San Mateo, CA 94402-3621

Response to Comment Letter 62

M. Pitkin

Response 62-1

Regarding provisions for road repair should roadway damage occur as part of the project soil haul exporting, the last bullet under Mitigation Measure TRANS-6 on page IV.I-26 of the DEIR states:

- As a condition of the grading permit required of the project applicant by the County, the applicant shall be responsible for the repair of any damage to roads resulting from the export of soil from the project site. Such repair shall be to the satisfaction of the San Mateo County Department of Public Works.

Refer to Topical Response 7, Construction Traffic Impacts, and to Topical Response 2, Landslides and Slope Instability. Provided the mitigation measures listed in the DEIR are adequately implemented and monitored, breakage of sewer laterals connecting to off-site homes is not anticipated to occur as a result of the proposed project.

8/1/09

County of San Mateo, Planning and Building Department
Attn: James A. Castañeda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94063-1662

Re: Ascension Heights Subdivision, Public Comments

Dear Mr. Castañeda,

I live near the intersection of Ascension and Bel Aire Drive where the proposed Ascension Heights Subdivision would be located.

I notice in the DEIR that no provision is made for a sidewalk along the perimeter of the project as it touches this intersection. This will be a significant inconvenience, and more important, a safety issue for residents of our area as they walk in the neighborhood.

63-1

In addition, there is no provision to repair the existing erosion on the hill at this intersection. It is a safety and esthetic problem that needs to be addressed by the developer.

63-2

Sincerely,

Marsha J. Aliamus
524 Ascension Dr.
San Mateo, CA
94402

Response to Comment Letter 63**Marsha Aliamus**Response 63-1

The commenter is correct that the proposed project does not include sidewalks along Bel Aire Road or Ascension Drive. While the commenter suggests that this represents a significant inconvenience and a safety issue for residents in the project area as they walk in the neighborhood, the lack of sidewalks along Bel Aire Road or Ascension Drive at the project site is an existing condition. Sidewalks exist on the opposite sides of Bel Aire Road and Ascension Drive from the project site.

Pages IV.I-25 and IV.I-26 of the DEIR describe the amount of truck trips and associated traffic impacts that would occur during the project's construction phase. These impacts were found to be ***potentially significant*** but could be reduced to less-than-significant levels with the implementation of Mitigation Measure TRANS-6 on page IV.I-26 of the DEIR. Mitigation Measure TRANS-6 includes but is not limited to the following measures to ensure that construction traffic impacts and traffic safety impacts during construction would be less than significant:

- The haul route streets shall be limited to SR 92, West Hillsdale Drive, CSM Drive, Parrott Drive, Laurie Lane, and Bel Aire Road. That would minimize the number of residential streets used by trucks. Trucks shall not utilize Ascension Drive because of the existing traffic level and the steep grade.
- Construction activity shall be limited to the hours of 8:00 AM and 4:30 PM Monday through Friday. No activity or staging shall occur outside these hours.
- To minimize impacts to traffic and public safety, truck traffic for soil export from the project site shall be limited to between the hours of 10:00 AM and 3:00 PM.
- Loaded trucks shall be limited to a maximum speed of 20 mph when operating in residential areas.
- No staging of trucks or construction equipment shall occur within the adjacent residential area at any time.
- Temporary "truck crossing" signs shall be placed in both directions on Bel Aire Road near the site entrance. Flagmen shall be used, as necessary, to control traffic during the arrival and departure of trucks and equipment.
- Construction workers shall be required to park on-site, i.e., no parking on Bel Aire Road or Ascension Drive.

The mitigation measures listed above, in addition to the availability of sidewalks on the opposite sides of Bel Aire Road and Ascension Drive from the project site, would ensure that traffic safety impacts would not be significant. However, the commenter's concern regarding the lack of sidewalks along Bel Aire Road or Ascension Drive at the project site will be forwarded to the decision makers for their consideration in their review of the proposed project.

Response 63-2

Page III-25 of the DEIR states that the 0.45-acre proposed undisturbed and protected area would be included within the southwest corner of the project site. This area would be maintained through the implementation of a conservation easement. As part of the proposed project, the existing on-site drainage improvements within this area will be removed. This area would be the responsibility of the HOA with regards to maintenance. A formal agreement would be determined at a later date.

While the existing erosional feature at the site's corner of Bel Aire Road and Ascension Drive would remain within the proposed conservation area, a new storm drain system would be installed on the site to ensure that runoff is adequately conveyed off-site to existing storm drains. Runoff that currently flows over land, uncontrolled, at the site would be redirected into the proposed drainage system, thereby reducing the potential for erosion over the existing condition. Adequate implementation and monitoring of the mitigation measures included in DEIR would ensure that erosion impacts would be less than significant.

While the commenter notes that the erosional feature at the site's corner of Bel Aire Road and Ascension Drive is an aesthetic problem, it is noted that this is an existing condition and Section IV.A, Aesthetics, determined that project impacts related to aesthetics would be less than significant. Also, refer to Topical Response 9, Erosion Impacts.

August 1, 2009

County of San Mateo, Planning and Building Department
Attn: James A. Castañeda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94063-1662

Re: Ascension Heights Subdivision, Public Comments

Dear Mr. Castañeda,

I live near the proposed Ascension Heights Subdivision at Ascension and Bel Aire.

I have many concerns about the project, but the most significant one as the project starts concerns the use of thousands of truck loads of soil as the grading starts and ends. This will expose the neighbors to constant noise, dust and diesel pollutants.

Among our population, we have residents who suffer from respiratory disease and infants whose lungs are in critical stages of development. We are concerned especially about them, but all of us will be very significantly affected by the conditions these trucks present.

64-1

Sincerely,

A handwritten signature in dark ink, appearing to read "Mike Hann". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Mike Hann
1383 Enchanted Way
San Mateo, CA 94402

Response to Comment Letter 64**Mike Hann**Response 64-1

Refer to Topical Response 7, Construction Traffic Impacts regarding the comment concerning the use of thousands of truckloads of soil. Regarding noise impacts during construction, refer to Topical Response 8, Construction and Operational Noise Impacts. Regarding the commenter's concerns about dust and diesel pollutants during construction, refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction.

8/01/09

County of San Mateo, Planning and Building Department
Attn: James A. Castañeda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94063-1662

Re: Ascension Heights Subdivision, Public Comments

Dear Mr. Castañeda,

I live near the intersection of Ascension and Bel Aire Drive where the proposed Ascension Heights Subdivision would be located.

I notice in the DEIR that no provision is made for a sidewalk along the perimeter of the project as it touches this intersection. This will be a significant inconvenience, and more important, a safety issue for residents of our area as they walk in the neighborhood.

65-1

In addition, there is no provision to repair the existing erosion on the hill at this intersection. It is a safety and esthetic problem that needs to be addressed by the developer.

65-2

Sincerely,

Grima P. Walker
155 Stardite Drive
San Mateo,

Response to Comment Letter 65**P. Walker**Response 65-1

The commenter is correct that the proposed project does not include sidewalks along Bel Aire Road or Ascension Drive. While the commenter suggests that this represents a significant inconvenience and a safety issue for residents in the project area as they walk in the neighborhood, the lack of sidewalks along Bel Aire Road or Ascension Drive at the project site is an existing condition. Sidewalks exist on the opposite sides of Bel Aire Road and Ascension Drive from the project site.

Pages IV.I-25 and IV.I-26 of the DEIR describe the amount of truck trips and associated traffic impacts that would occur during the project's construction phase. These impacts were found to be ***potentially significant*** but could be reduced to less-than-significant levels with the implementation of Mitigation Measure TRANS-6 on page IV.I-26 of the DEIR. Mitigation Measure TRANS-6 includes but is not limited to the following measures to ensure that construction traffic impacts and traffic safety impacts during construction would be less than significant:

- The haul route streets shall be limited to SR 92, West Hillsdale Drive, CSM Drive, Parrott Drive, Laurie Lane, and Bel Aire Road. That would minimize the number of residential streets used by trucks. Trucks shall not utilize Ascension Drive because of the existing traffic level and the steep grade.
- Construction activity shall be limited to the hours of 8:00 AM and 4:30 PM Monday through Friday. No activity or staging shall occur outside these hours.
- To minimize impacts to traffic and public safety, truck traffic for soil export from the project site shall be limited to between the hours of 10:00 AM and 3:00 PM.
- Loaded trucks shall be limited to a maximum speed of 20 mph when operating in residential areas.
- No staging of trucks or construction equipment shall occur within the adjacent residential area at any time.
- Temporary "truck crossing" signs shall be placed in both directions on Bel Aire Road near the site entrance. Flagmen shall be used, as necessary, to control traffic during the arrival and departure of trucks and equipment.
- Construction workers shall be required to park on-site, i.e., no parking on Bel Aire Road or Ascension Drive.

The mitigation measures listed above, in addition to the availability of sidewalks on the opposite sides of Bel Aire Road and Ascension Drive from the project site, would ensure that traffic safety impacts would not be significant. However, the commenter's concern regarding the lack of sidewalks along Bel Aire Road or Ascension Drive at the project site will be forwarded to the decision makers for their consideration in their review of the proposed project.

Response 65-2

Page III-25 of the DEIR states that the 0.45-acre proposed undisturbed and protected area would be included within the southwest corner of the project site. This area would be maintained through the implementation of a conservation easement. As part of the proposed project, the existing on-site drainage improvements within this area will be removed. This area would be the responsibility of the HOA with regards to maintenance. A formal agreement would be determined at a later date.

While the existing erosional feature at the site's corner of Bel Aire Road and Ascension Drive would remain within the proposed conservation area, a new storm drain system would be installed on the site to ensure that runoff is adequately conveyed off-site to existing storm drains. Runoff that currently flows over land, uncontrolled, at the site would be redirected into the proposed drainage system, thereby reducing the potential for erosion over the existing condition. Adequate implementation and monitoring of the mitigation measures included in DEIR would ensure that erosion impacts would be less than significant.

While the commenter notes that the erosional feature at the site's corner of Bel Aire Road and Ascension Drive is an aesthetic problem, it is noted that this is an existing condition and Section IV.A, Aesthetics, determined that project impacts related to aesthetics would be less than significant. Also, refer to Topical Response 9, Erosion Impacts.

8/1/09

County of San Mateo, Planning and Building Department
Attn: James A. Castañeda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94063-1662

Re: Ascension Heights Subdivision, Public Comments

Dear Mr. Castañeda,

I am a resident of San Mateo County who lives near the proposed Ascension Heights Subdivision. I have perused the DEIR for the project and am very concerned about the cost and effort that will be required to clean up the dust that will cover my land and home, inside and out. The graded land will not be re-planted until completion of the project (4 to 5 years). In the meantime, we will suffer the consequences of constant dust everywhere.

66-1

I do not see anything in the DEIR addressing clean-up of the tremendous amount of dust that will accumulate everywhere near the subdivision. I need to see that the developer will be required to pay for these costs.

Sincerely,

Peter B. Fethin

1411 Enchanted Way

San Mateo CA 94402-3621

Response to Comment Letter 66
Peter Pitkin

Response 66-1

Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction.

8/1/09

County of San Mateo, Planning and Building Department
Attn: James A. Castañeda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94063-1662

Re: Ascension Heights Subdivision, Public Comments

Dear Mr. Castañeda,

I am a resident of San Mateo County who lives near the proposed Ascension Heights Subdivision. I have perused the DEIR for the project and am very concerned about the cost and effort that will be required to clean up the dust that will cover my land and home, inside and out. The graded land will not be re-planted until completion of the project (4 to 5 years). In the meantime, we will suffer the consequences of constant dust everywhere.

67-1

I do not see anything in the DEIR addressing clean-up of the tremendous amount of dust that will accumulate everywhere near the subdivision. I need to see that the developer will be required to pay for these costs.

Sincerely,

Robert J. Williams
1524 Ascension Dr.
San Mateo CA 94402

I also have concerns about the overall size of the project, as well as the impact on the Parrott Drive residents. Fewer homes than the 25 proposed may be a less intrusive project

67-2

RJW

Response to Comment Letter 67

Robert Aliamus

Response 67-1

Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction.

8/1/09

County of San Mateo, Planning and Building Department
Attn: James A. Castañeda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94063-1662

Re: Ascension Heights Subdivision, Public Comments

Dear Mr. Castañeda,

I live near the proposed Ascension Heights Subdivision at Ascension and Bel Aire.

I have many concerns about the project, but the most significant one as the project starts concerns the use of thousands of truck loads of soil as the grading starts and ends. This will expose the neighbors to constant noise, dust and diesel pollutants.

Among our population, we have residents who suffer from respiratory disease and infants whose lungs are in critical stages of development. We are concerned especially about them, but all of us will be very significantly affected by the conditions these trucks present.

68-1

Sincerely,

Sherla Shea

1526 Parrot Drive

San Mateo, CA 94402

Response to Comment Letter 68**Sheila Shea**Response 68-1

Refer to Topical Response 7, Construction Traffic Impacts regarding the comment concerning the use of thousands of truckloads of soil. Regarding noise impacts during construction, refer to Topical Response 8, Construction and Operational Noise Impacts. Regarding the commenter's concerns about dust and diesel pollutants during construction, refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction.

County of San Mateo, Planning and Building Division
James A. Castañeda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94063-1662

August 1, 2009

Re: Ascension Heights Subdivision, Public Comments

Dear Mr. Castañeda,

We live on Parrott Dr. with our property directly adjacent to the proposed development.

We have many concerns about the project, but one of the most significant is in regards to the thousands of truck loads of soil that will be moved and transported during the grading of the hillside. This will expose not only our family, but the entire neighborhood, to noise, dust and diesel pollutants, constantly for the first several months of the project, but then continuing on for the 4 to 5 years it will take to complete the development. Our family already suffers from respiratory health issues, which are managed, but we are concerned that the grading and construction will cause further, life-altering health problems. We will be affected from all sides—from the work on the hillside behind us, as well as from the truck traffic, diesel and noise pollution from the street in front of our home. We are just one family that would be affected; there are many more with children and infants whose developing respiratory systems would be affected as well.

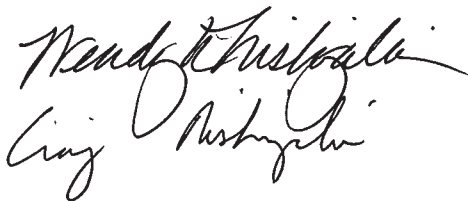
69-1

We have looked through the DEIR, and we cannot find details of how the grading will take place. The Alternative C, which was noted as being Environmentally Superior, shows that the access road would butt up to our property, but no details are given as to how the access road will be graded/supported/constructed. The hillside currently slopes steeply down to our back yard, and we just can't imagine how the grading and construction of a road would be feasible at that location. Would we end up with an 8 ft. retaining wall on our property line?

69-2

Thank you for taking our comments into consideration.

Sincerely,

Handwritten signatures of Wendy and Craig Nishizaki in black ink. The signature 'Wendy Nishizaki' is written in a cursive style, and 'Craig Nishizaki' is written below it, also in cursive.

Wendy and Craig Nishizaki
1474 Parrott Dr.
San Mateo, CA 94402

Response to Comment Letter 69
Wendy and Craig NishizakiResponse 69-1

Refer to Topical Response 7, Construction Traffic Impacts regarding the comment concerning the use of thousands of truckloads of soil. Regarding noise impacts during construction, refer to Topical Response 8, Construction and Operational Noise Impacts. Regarding the commenter's concerns about dust and diesel

Regarding details of how the grading would take place, page III-37 of the DEIR states that grading activities include cut (earth removal) and fill of earthwork, creation of engineered slopes and stepped foundations, installation of retaining walls. Approximately 131,480 cubic yards (cy) of earth material would be graded for the proposed project on slopes averaging 40 percent. Specifically, the grading phase of the proposed project would require approximately 96,000 cy of cut material (with a maximum depth of 25 feet) and 35,480 cy of fill material (with a maximum depth of 10 feet). Approximately 60,520 cy of soil would be exported from the site to an off-site location. Also, refer to Figure III-18, Proposed Drainage and Grading, on page III-39 of the DEIR.

Response 69-2

Regarding details of how the grading would take place, page III-37 of the DEIR states that grading activities include cut (earth removal) and fill of earthwork, creation of engineered slopes and stepped foundations, installation of retaining walls. Approximately 131,480 cubic yards (cy) of earth material would be graded for the proposed project on slopes averaging 40 percent. Specifically, the grading phase of the proposed project would require approximately 96,000 cy of cut material (with a maximum depth of 25 feet) and 35,480 cy of fill material (with a maximum depth of 10 feet). Approximately 60,520 cy of soil would be exported from the site to an off-site location. Also, refer to Figure III-18, Proposed Drainage and Grading, on page III-39 of the DEIR.

The commenter is correct that Alternative C was chosen as the Environmentally Superior Alternative in the DEIR. As discussed on page VI-34 of the DEIR, based on the alternatives analysis provided in Section VI, Alternatives to the Proposed Project, and the Alternatives Comparison table (see Table VI-1 on page VI-35 of the DEIR), it was been determined that most of the impacts that would occur under Alternative C would be similar to those that would occur under the proposed project. However, given that this alternative would include the development of much fewer single-family homes and much less of the site, the impacts that would occur under the proposed project would occur to a lesser degree under this alternative. Additionally, Alternative C would avoid the significant and unavoidable temporary construction-related air quality impact that would occur under the proposed project. For these reasons, Alternative C was selected as the environmentally superior alternative to the proposed project.

The commenter is also correct that Alternative C involves an access road near the backyards of existing homes that are located on Parrott Drive and that specific details are not provided regarding the grading and

construction for the access road. While such a road could require a retaining wall, Alternative C would require less grading compared to the proposed project, resulting in fewer soil haul trips off-site and a reduction in the associated air quality, noise and traffic impacts during the grading phase. While Alternative C was identified as being the Environmentally Superior Alternative in the DEIR, this does not mean that the County will necessarily approve Alternative C.

Refer to Topical Response 5, Alternatives.

GERALD McCLELLAN
1899 PARROTT DR. SAN MATEO, CA 94402
650/345-9930 FAX: 650/571-1989

September 8, 2009

Ascension Heights Subdivision Project
PLN2002-00157

County of San Mateo, Planning and Building Dept.
Attn: James A Castaneda, Project Planner
455 County Center, 2nd Floor
Redwood City, CA 94063-1662

Thank you for the extended time to respond to the Draft EIR, submitted June 2009. Unfortunately, the developer did not contact any of the community organizations during the 5 years since the proposed Scope of Work documents were last discussed publicly, and several questions remain.

70-1

Regarding Geotechnical Considerations:

Reference is made to comments in the current Draft by the County Geologist Demouthé, "The project has a huge amount of grading, and will result in very steep slopes. Potential for erosion." (Appendix F, Geotech Data; Treadwell & Rollo, 12-12-08). Previous comments submitted through the community from Cotton, Shires & Assoc. relate to the steep slopes and large amount of materials to be excavated for a project of this size, and evaluations involving the specifics of lesser alternatives should be considered.

70-2

There are 3 viable and smaller alternatives submitted with this presentation, however the Draft is devoid of any details consistent with smaller projects or excavations. This Draft seems presented as an "all or nothing" situation.

70-3

The Draft EIR has again been reviewed for the community by Cotton, Shires & Associates. Their reports, dated July 30, 2009 are attached for reference.

Recommendations include, but not limited to:

As previously noted, several lots still have slopes exceeding standard Uniform Building Code grading requirements, with slopes inclined at 1.5:1 (horizontal:vertical); There are no comments as to grading volumes required for individual lot construction; Lot 22 shows a slope of 1.7:1, requiring a cripple wall 16ft in height along the downslope side. Areas of current severe erosion, in designated undisturbed areas, are not proposed for repair. Graded slopes steeper than 2:1 should be addressed in the EIR

70-4

Despite the obviously huge amount of grading required, and steep slopes remaining, there are no specifics discussed as to amounts of materials excavated in any lesser alternative. Studying the provided elevation maps show that the total amount of excavation required increases rapidly as the steep Western portion is involved. This is a difficult location,

70-5

both for the developer and community. The error ^{is} this feasibility study is that it misses discussing the benefits of any alternatives.

70-5

Regarding Construction Impacts/Traffic:

Increasing from the original Scope of Work documents, the project now estimates earth materials of 131,480 cy would be graded, with 60,520cy removed, and 35,480 cy of appropriate, and described, fill brought in (for engineered slopes). The specific route is described.

Truck trips (20yd trucks/tractor-trailer type) are described in round trips, totaling 3,036 trips involving the 60,520 cy removed. However, there is no discussion of the 35,480 cy of fill required. The fill alone, would require an additional 1,774 truck trips (if 20 yd trucks are also used), totaling 4,810 round trips.

70-6

It is unclear whether the remaining materials 131,480

- 60,520

- 35,480

= 35,480 cy

will remain on site sharing space with worker's vehicles, construction equipment, construction materials, or be left on the steep slopes, or be transported. The Draft EIR is devoid of any discussion involving these earth materials.

Reality dictates that any one truck will pass any one residential location along the described path a total of 9,620 times (coming and going).

Given the discussions regarding required very tall and numerous retaining walls for building foundations, and lengthy retaining walls for roads and trails, there is absolutely no mention of concrete amounts or truck trips required to bring these materials to this project. A cumulative effect that would it's self add a significant impact.

70-7

Perhaps this total project is just too great for the community, and a lesser alternative would be encouraged and should be considered.

70-8



Gerald McClellan
Baywood Park homeowners Assn.
Land Use Committee

Attachment: Cotton, Shires & Assoc, report July 30, 2009

RECEIVED
2009 SEP -9 A 10:42
SAN MATEO COUNTY
PLANNING DIVISION



July 30, 2009
G0193A

TO: Gerard Ozanne, President
BAYWOOD PARK HOMEOWNERS' ASSOCIATION
1899 Parrott Drive
San Mateo, California 94402

SUBJECT: Geotechnical Evaluation of Draft EIR
RE: Ascension Heights Subdivision
San Mateo County, California

Dear Mr. Ozanne:

At your request, we have completed a geotechnical evaluation of the following documentation associated with the proposed subdivision and site development:

- Ascension Heights Subdivision Project - Draft Environmental Impact Report prepared by Christopher A. Joseph & Associates, dated June 2009;
- Appendix F: Geotechnical Data, Draft Environmental Impact Report, technical investigation reports by Terrasearch, Michelucci & Associates, and Treadwell & Rollo, various dates;
- Appendix B: Responses to Notice of Preparation and Comments from EIR Scoping Meeting; and
- Vesting Tentative Map, Proposed Drainage and Grading Plan - Ascension Heights Subdivision (3 sheets) prepared by Lee & Braze, dated January 17, 2007.

70-9

DISCUSSION

The applicant proposes to subdivide six existing parcels above the intersection of Ascension Drive and Bel Aire Road (total of 13.3 acres) into 25 lots for single-family residential construction. The project includes the construction of a new public street, an emergency access road, and repair of existing site erosion areas. Proposed project grading for establishment of new roadways and rough grading of lots includes approximately 96,000 cubic yards of cut and 35,480 cubic yards of fill. We understand that supplemental grading needed for development of individual residential buildings is not included in the above grading estimates.

We previously prepared geotechnical comments regarding geotechnical supporting documents and an earlier development plan for a 25-lot site subdivision (letter dated January 21, 2004). Our primary geotechnical concerns with earlier development plans included several aspects of the proposed project grading and drainage design that were not in conformance with standard Uniform Building Code grading requirements, construction of new house sites on proposed graded slopes inclined at 1.5:1 (horizontal:vertical), and the need for additional evaluation of constructing new homes across very steep graded slopes. We noted that very steep, uniform cut slopes proposed across several individual lots were not consistent with new building pad construction generally accepted within the Bay Area.

70-9

RECENT GEOTECHNICAL EVALUATIONS

The currently proposed project grading plan, and designated project design Alternative B, retain very steep graded slopes (up to 1.5:1) across several of the proposed lots. It appears that at least 6 proposed lots located south of the existing water tank have graded slopes steeper than 2:1 and up to 1.5:1.

We have attached Geologic Cross Section A-A' from the DEIR that illustrates proposed final slopes. For example, the dashed line on Section A-A' illustrates proposed grading of a level bench for the access roadway and establishment of an 80-foot high 1.5:1 cut slope above the roadway (located south of the water tank and toward Ascension Drive). The illustrated cut slope above the roadway is presented as containing a suitable building site for proposed Lot 16. The depicted lower floor level elevation for a new residence on Lot 16 would require an additional 25 to 30 feet of excavation beneath portions of the building footprint. We have not seen an evaluation of grading volumes required for individual lot construction. On steep lots, all excavated earth materials for home construction would need to be exported from the site. Off hauling large volumes of material typically impacts neighboring roadways, traffic, air quality, and noise. The DEIR indicates that house construction could occur over a 5 year period after establishment of project roadways.

70-10

Also depicted on Section A-A' is a slope inclined at approximately 1.7:1 descending from the new access roadway bench toward Ascension Drive. This steep slope area is another cutslope presented as suitable for construction of a new residence on proposed Lot 22. The depicted lower floor elevation for a new residence on this lot would require a "cripple" wall (supporting element between the ground surface and first floor level) of approximately 16 feet in height along the downslope wall of the house. Given a standard roof pitch, the total height of a two-story residence on this and other similar proposed lots could exceed 40 feet. This type of house design is not generally similar to that of the surrounding neighborhood as assumed in the DEIR, and may constitute a significant negative visual impact.

The example lots noted above are representative of the problems resulting from proposed establishment of residential lots and a new access roadway to the south of the water tank. The lack of project design conformance to established grading and drainage standards is covered in our previous project design evaluation letter (attached). The previously noted deficiencies remain in the currently proposed development plan.

70-10

EROSION CONTROL

Areas of severe erosion were noted during our inspection of the property. In 1979, Terrasearch observed several areas of existing "ruts" within the property and recommended that these areas be addressed during future project grading by backfilling and drainage control. Michelucci & Associates also noted several areas of erosion features and presented three options to stabilize these features (Geotechnical Investigation, 2002, page 19). This consultant also identified a specific option to be considered for the prominent gulley above the Bel Aire/Ascension intersection. In 2003 and 2008 Treadwell & Rollo noted the severe erosion areas and recommended mitigating further erosion by controlling runoff along with repairing and re-vegetating the eroded areas. This consultant has taken no exception to the specific design options prepared by Michelucci & Associates.

70-11

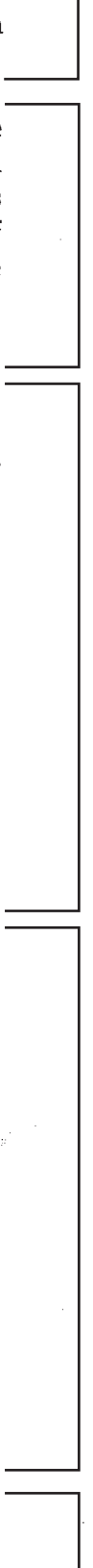
The proposed development plan indicates that the most severe area of site erosion (prominent gulley above Bel Aire/Ascension intersection) is to be contained within a designated undisturbed area. Consequently, we understand that erosional features in this area are not proposed for repair. Project grading and drainage plans also do not specifically address other areas of site erosion problems.

RECOMMENDATIONS

The proposed graded slopes steeper than 2:1 (horizontal:vertical) across proposed residential building sites results in the following geotechnical and environmental impact concerns (Items 1-3) that should be addressed in the project EIR. In addition, to adequately address important differences between identified development Alternatives, and to arrest significant ongoing site erosion, we recommend that listed Items 4 and 5 also be addressed in the final EIR.

1. Slopes steeper than 2:1 will have an increased potential for erosion and instability. Given that site earth materials have a high erosion potential, and that adequate vegetation cover will not be readily established on cuts exposing bedrock, we anticipate that the proposed project design will result in accelerated erosion. Necessary coordinated drainage control improvements across individual lots are not depicted on development plans. The proposed design does not appear to be consistent with County requirements to minimize erosion and sedimentation from new

70-12

- projects. Reduced final graded slopes should be considered from an erosion control perspective.
2. From an aesthetics perspective, we have not seen an adequate evaluation in the DEIR of visual impacts related to potential house design challenges resulting from very steep slopes proposed across depicted building envelopes. The visual mass of buildings will likely be most significant for very steep lots on the downslope side of access roadways. Graphics showing homes located on proposed slopes should be prepared.
3. Very steep proposed lot slopes also result in the apparent need for significant grading during the house construction phase. The DEIR does not address the magnitude or potential impacts of grading required to establish viable floor level elevations for new residences. Very steep lots located on the upslope side of access roadways will likely require the most grading during the house construction phase. On steep lots, most of the excavated earth materials will need to be trucked from the site with resulting potential neighborhood construction period and air quality impacts. Probable grading volumes that will result in the establishment of new homes on depicted lots should be presented. Proposed creation of final graded slopes steeper than 2:1 across future house sites should be reconsidered for conformance with prevailing construction practices in the Bay Area.
4. In order to allow adequate comparisons between the Project Alternatives, the following information should be presented for each alternative design:
- Total required excavation and fill volumes (including probable grading required to establish viable house floor levels);
 - Extent of required retaining structures (lineal feet of wall and square footage of wall face);
 - Square footage of site disturbance required for grading;
 - Number of truck trips and associated impacts for earth material export for full project build-out (including the quantity and duration of earth material trucking during house construction); and
 - Assessment of air quality impacts.
5. Ongoing potentially significant sources of siltation should be corrected as part of the proposed project. Existing site gullies will
- 
- 70-12
- 70-13
- 70-14
- 70-15
- 70-16

July 30, 2009
G0193A

continue to enlarge unless corrective measures are employed to arrest significant site erosion features. Appropriate repair options presented in project geotechnical investigation reports should be selected and be incorporated into project development plans.

We recommend that the above items be fully evaluated in the Final EIR. In addition, proposed project drainage and grading plans should be modified so they are in essential compliance with code requirements.

70-16

LIMITATIONS

Our evaluation services consist of professional opinions and recommendations made in accordance with generally accepted engineering geology and geotechnical engineering principles and practices. No warranty, expressed or implied, or merchantability of fitness, is made or intended in connection with our work, by the proposal for consulting or other services, or the furnishing of oral or written reports.

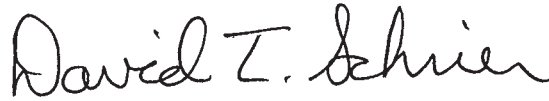
70-17

Sincerely,

COTTON, SHIRES AND ASSOCIATES, INC.



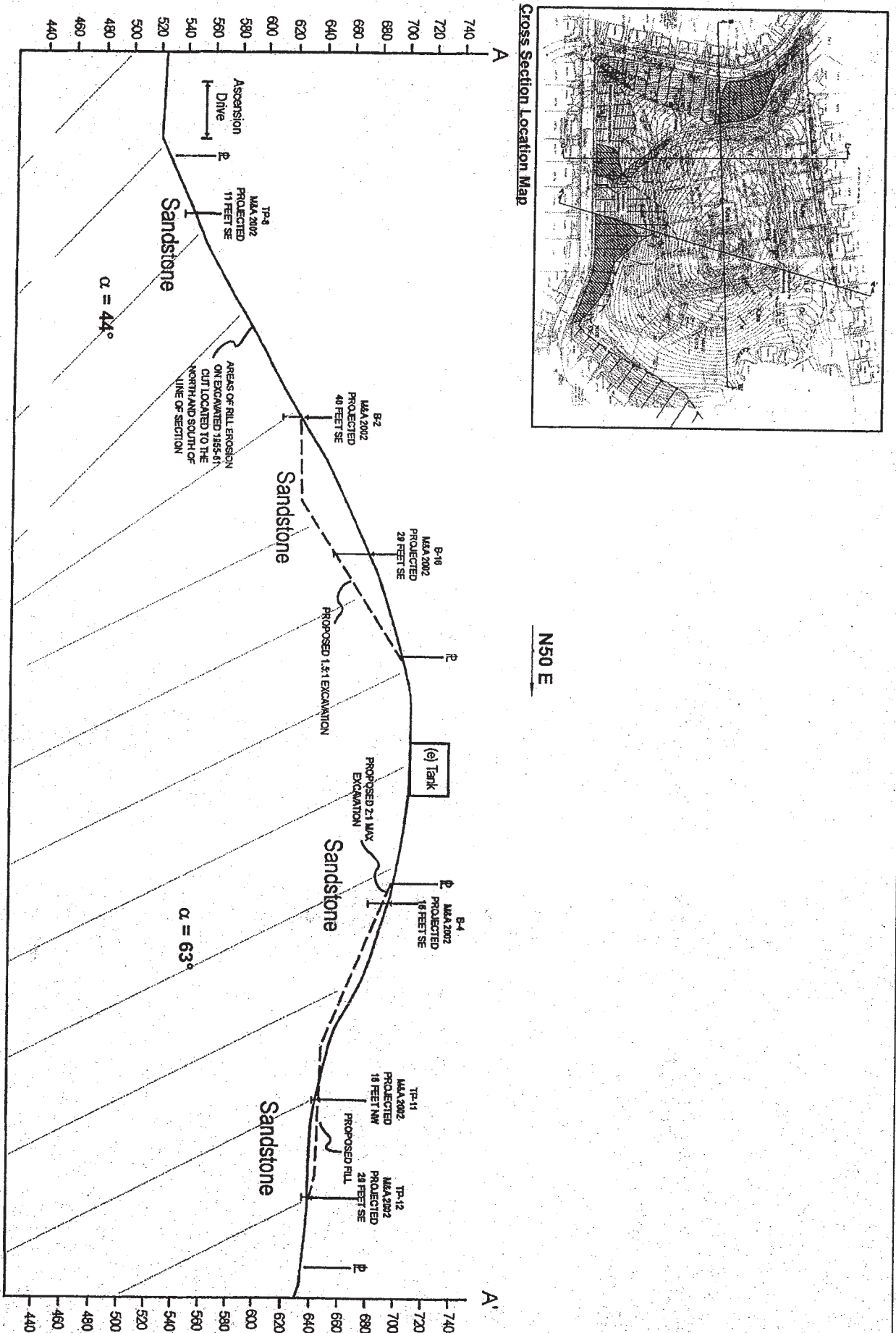
Ted Sayre
Principal Engineering Geologist
CEG 1795



David T. Schrier
Principal Geotechnical Engineer
GE 2334

TS:DTS:kd

Attachments: DEIR Cross Section A-A' (Figure IV.D-3)
CSA Geotechnical Evaluation letter, dated January 21, 2004



Source: Treadwell & Rollo, December 2008 and Michelucci & Associates, Lea & Braze Engineering, January 17, 2007.



CHRISTOPHER A. JOSEPH & ASSOCIATES
Environmental Planning and Research

Figure IV.D-3
Cross Section A-A'



January 21, 2004
G0193

TO: Gerald McClellan
BAYWOOD PARK HOMEOWNERS' ASSOCIATION
1899 Parrott Drive
San Mateo, California 94402

SUBJECT: **Geotechnical Evaluation of Project Design and Supporting Documentation**

RE: Ascension Heights/Thomas Subdivision Proposal
PLN 2002-00517
San Mateo County, California

Dear Mr. McClellan:

At your request, and in conformance with our proposal for geotechnical services (dated November 24, 2003), we have completed geotechnical evaluation of the following documentation submitted in support of the proposed subdivision and site development:

- Geotechnical and Engineering Geologic Evaluation - Ascension Heights Subdivision (report), prepared by Michelucci & Associates, dated December 16, 2002;
- Initial Study Environmental Evaluation Checklist, prepared by the County of San Mateo Planning Division, dated September 25, 2003;
- Project Narrative to Questions for the Initial Study (letter) prepared by Christopher A. Joseph & Associates, undated; and
- Ascension Heights Subdivision Tentative Map, Lot Layout Plan, Preliminary Grading and Drainage Plan, and Preliminary Utility Plan (4 sheets) prepared by Lea & Sung Engineering, dated August 23, 2002.

DISCUSSION

The applicant proposes to subdivide six existing parcels (total of 13.3 acres) into 25 lots for single-family residential construction. The project includes the construction of a new public street, repair of existing site erosion areas and establishment of various site drainage improvement measures. The project would be served by connection to sanitary sewers provided by the Crystal Springs Sanitary District. Proposed grading for establishment of the new roadway, and to reach indicated grades across residential lots, includes an estimated 93,100 cubic yards of cut and 7,100 cubic yards of fill placement. Because of the very steep final slopes proposed on several lots, additional significant grading would be required at the building permit stage for the development of individual residences.

70-18

SITE CONDITIONS

The subject property is characterized as a knoll situated along a northwest-southwest trending ridgeline. Previous site grading has resulted in very steep cut slopes (approximately 1.5:1, horizontal:vertical) approaching 100 feet or more in height above Ascension Drive and Bel Aire Road. Extensive erosional rills and gullies have developed, over time, in five areas within the limits of the previous cut slopes. Native slopes are generally moderately steep to steep (20 to 40 percent inclination). Site drainage is characterized by radial sheet flow away from the crest of the knoll, intercepted by various drainage ditches, rills and gullies. Runoff is ultimately directed into storm drainage systems located primarily along Bel Aire Road and Ascension Drive.

On the Geologic Map of San Mateo County (Brabb and Pampeyan, 1983), the site is located within a broad belt of sheared rock within the Franciscan Complex. However, subsurface exploration completed for the proposed subdivision encountered an apparently uniform, brownish-yellow sandstone at depth across the subject property. During our site inspection, it appeared that the property is underlain by a large block of sandstone with relatively uniform physical properties and color. In the southern corner of the property (within the proposed Lot A Common Area), we noted a seepage area and a contact between the brownish-yellow sandstone (to the northeast) and olive to gray colored mélangé materials of the Franciscan Complex (to the southwest). This apparent sheared contact may impede subsurface flow and locally direct groundwater to the surface. Observed seepage was sufficient to flow across the top of the concrete curb along the upslope side of Ascension Drive.

We are aware of several areas of slope instability near the subject property including: southeastern portion of Valley View Court, slopes above Los Altos Drive, slopes adjacent to and southwest of Ascension Drive near the proposed subdivision southern corner, slopes adjacent to Rainbow Drive, and slopes above the relatively new Polhemus Road retaining wall. Most of these slope instability problem areas are associated with the mélangé bedrock materials of Franciscan Complex, and have not occurred within the generally massive, brownish-yellow sandstone member of the Franciscan Complex. The active San Andreas fault is located approximately one mile southwest of the subject property.

CONCLUSIONS

Proposed site development is constrained by existing and proposed very steep final graded slopes, earth materials with a moderate to high erosion potential, subsurface seepage and spring conditions, and anticipated very strong seismic ground shaking that potentially may be amplified by local topography. General slope stability is favorably impacted by the local sandstone bedrock that has superior strength to the mélangé member of the Franciscan Complex found in several nearby neighborhood areas. Overall, we conclude that the referenced Geotechnical Investigation was conducted in a manner consistent with prevailing standards of practice in the geotechnical profession, that site constraints were properly identified, and appropriate engineering design mitigation measures have been recommended. We would, however, recommend that the consultant address the potential for topographic amplification of seismic ground shaking and offer mitigation alternatives, if needed. The site-specific range of anticipated seismic accelerations should be considered during structural engineering design of site improvements (primarily new residences).

Our basic concerns with the project design do not rest with the completed site geotechnical investigation, but with the proposed grading and drainage design that is not consistent with general requirements of the Uniform Building Code (UBC). Also, provided project grading volumes do not reflect the supplemental grading required for house construction on individual lots, which is likely to be significant.

Our following comments address:

1. Issues of grading and house design for individual lot development;
2. Noncompliance with general UBC grading requirements; and
3. Design considerations for compliance with prevailing design standards; and special impacts resulting from the currently proposed design.

1. **Individual Lot Grading**

The referenced Project Narrative indicates that proposed site grading is intended to create suitable building pads and access roads. However, proposed grading for Lots 14 through 17 would simply create a uniform cut slope exceeding an inclination of 2:1 (horizontal:vertical) across the entire width and length of these lots. This proposed cut approaches 70 feet in height without typically required UBC slope terraces and drainage interceptor ditches at maximum 30-foot vertical intervals. In addition, significant portions of proposed Lots 19 through 24 are occupied by existing cut slopes inclined at close to 1.5:1. These existing and proposed very steep cut slopes are not consistent with suitable building pads in the general Bay area.

70-18

Substantial additional grading would be required for the construction of residences on Lots 14 through 17 to allow garage and driveway construction. We anticipate the need for supplemental cuts on the order of 20 feet in depth below currently proposed grades to allow residential construction of these lots. Grading off haul on the order of 2,000 cubic yards per lot may be required. Very steep existing cut slopes on the downslope side of the access road (vicinity of Lots 19 through 24) could require similar magnitudes of grading if houses are notched into the slopes. Alternatively, if these lower lots are developed with residences terraced down the face of the existing slope, then the height of subfloor (cripple) walls and visual mass of such structures may become significant. Critical review of the proposed site development plan should include calculation of supplemental grading volumes anticipated for the development of individual lots, and preparation of conceptual architectural drawings illustrating the appearance of residences (with both upslope and downslope driveway access configurations situated across 1.5:1 slopes). The above information should be provided by the applicant to clarify the actual grading quantities and visual impacts associated with proposed residential development of the property.

2. **UBC Compliance and Recommended Design Considerations**

It should be understood that UBC grading requirements have evolved over time, resulting in progressively more conservative design practices. When the existing site cuts were made, 1.5:1 slope inclinations may have been consistent with previous UBC grading requirements. However, due to generally poor performance of cuts completed at

such steep inclinations, UBC grading requirements have been revised to generally limit new cut and fill slopes to a maximum inclination of 2:1. In addition, building setbacks have been adopted from the top and toes of graded 2:1 slopes, and specific minimum terracing and drainage improvement requirements have been instigated. If the existing site cut slopes of approximately 1.5:1 are to remain, then a much more prudent development plan for the property (consistent with general minimum UBC requirements) would reflect consideration of the following:

- a) A minimum building setback would be established from the tops of existing graded 1.5:1 slopes and residential construction would not be allowed to occur across such slopes.
- b) No new slopes intended for residential building sites would be created steeper than 2:1.
- c) Subdivision grading design would be prepared in accordance with UBC required intermediate slope terraces and concrete-lined drainage interceptor ditches. It would be difficult to coordinate necessary and effective slope drainage control measures between properties if individual lots are sold and developed by separate owners. The subdivision drainage design should anticipate the need for coordinated drainage control measures between individual lots. For example, a lined drainage ditch should be considered near the upslope property line of Lots 14 through 17.
- d) Proposed house sites would be located so as to respect general UBC setback requirements from the crest and toes of steep graded slopes.

70-18

3. Impacts of the Proposed Design

In summary, proposed site development plans are not in conformance with prevailing grading and drainage design practices of the general Bay area. To create new residential lots characterized by uninterrupted 1.5:1 slopes up to 70 feet in height is not consistent with prevailing residential development standards, or general grading requirements of the UBC. While such design may be geotechnically feasible, it will result in increased slope maintenance requirements and associated costs to future property owners. The lack of proper maintenance could result in substantial erosional problems. In addition, construction across such steep slopes (in combination with the proximity of San Andreas fault), is likely to result in increased damage levels to future residences under seismic ground shaking conditions. The intent of UBC structural requirements is to prevent building collapse, but substantial damage and economic loss is possible even when code requirements are met. As slopes become steeper, the foundations and shear resistant design elements that anchor buildings to slopes become more severely tested under seismic ground shaking conditions.

RECOMMENDATIONS

We recommend that the Baywood Park Homeowners' Association have the above concerns addressed by the applicant's design team, and be considered by the County during their evaluation of the proposed project design. We appreciate the opportunity to evaluate the proposed development plan for this challenging property.

LIMITATIONS

Our services consist of professional opinions and recommendations made in accordance with generally accepted engineering geology and geotechnical engineering principles and practices. No warranty, expressed or implied, or merchantability of fitness, is made or intended in connection with our work, by the proposal for consulting or other services, or the furnishing of oral or written reports.

70-18

Sincerely,

COTTON, SHIRES AND ASSOCIATES, INC.

Ted Sayre
Supervising Engineering Geologist
CEG 1795

David T. Schrier
Senior Geotechnical Engineer
GE 2334

DTS:TS:st

Response to Comment Letter 70
Gerald McClellanResponse 70-1

This comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 70-2

Regarding comments submitted through the community from Cotton, Shires & Associates, refer to Responses to Comments 43-32 through 43-40.

Response 70-3

The commenter is correct that the DEIR includes an analysis of alternatives to the project. However, the commenter is not correct in stating that none of the alternatives include details consistent with smaller projects or excavations. All of the projects analyzed in Section VI, Alternatives to the Proposed Project, with the exception of the No Project/No Build Alternative, involve less grading and fewer homes compared to the proposed project. Refer also to Topical Response 5, Alternatives, and Response to Comment 22-1.

Response 70-4

Regarding comments submitted by Cotton, Shires & Associates, refer to Responses to Comments 43-32 through 43-40.

Response 70-5

Regarding the commenter's concern that the DEIR alternatives analysis does not provide specifics related to grading, refer to Topical Response 5, Alternatives, and Response to Comment 22-1.

Response 70-6

Regarding the comment about construction traffic impacts, refer to Topical Response 7, Construction Traffic Impacts. It is anticipated that much of the soil required as fill for the project would come from on-site grading. However, the DEIR makes a good faith effort at disclosing the potential impacts associated with construction traffic, which were determined to be significant prior to mitigation.

Response 70-7

It is unknown at this time how many concrete trucks would be required for project construction. However, the DEIR makes a good faith effort at disclosing the potential impacts associated with construction traffic, which were determined to be significant prior to mitigation.

Response 70-8

The commenter's recommendation that a lesser alternative should be considered will be forwarded to the decision makers for consideration. Also, refer to Response to Comment 70-3.

Response 70-9

Refer to Response to Comment 43-32.

Response 70-10

Refer to Response to Comment 43-33.

Response 70-11

Refer to Response to Comment 43-34.

Response 70-12

Refer to Response to Comment 43-35.

Response 70-13

Refer to Response to Comment 43-36.

Response 70-14

Refer to Response to Comment 43-37.

Response 70-15

Refer to Response to Comment 43-38.

Response 70-16

Refer to Response to Comment 43-39.

Response 70-17

Refer to Response to Comment 43-40.

Response 70-18

This comment letter is dated January 21, 2004, and was prepared several years prior to publication of the DEIR. Refer to Responses to Comments 43-32 through 43-40, and 70-9 through 70-17.

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PUBLIC HEARING ON SEPTEMBER 9, 2009

BOARD OF SUPERVISORS CHAMBERS

400 COUNTY CENTER, REDWOOD CITY

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1 SEPTEMBER 9, 2009

2 MS. FERNANDEZ: It's actually Item 7, I
3 made a mistake.

4 UNIDENTIFIED MALE: You are correct.

5 MS. FERNANDEZ: Yes. Owner John O'Rourke
6 applicant San Mateo Real Estate and Construction,
7 file No. PLN 2002-0017, location, Bel Aire Road and
8 Ascension Drive, San Mateo. Project planner:
9 James Castañeda.

10 MR. CASTA-EDA: Good morning.

11 The purpose of today's meeting regarding
12 the proposed Ascension Heights subdivision is to
13 gather comments in regards to material contained
14 within the draft environmental impact report, or
15 EIR for short. I would like to preface that no
16 decision is to be rendered here today on either the
17 draft environmental report or the project as a
18 whole. This is to provide a venue to accept
19 comments and concerns towards the draft EIR.
20 Together with the submitted written comments, they
21 will be addressed in the final environmental impact
22 report, which will be considered by the planning
23 commissions for certification at a later date.

24 Preceding staff's presentation today, the
25 planning commission will accept public testimony,

staff as well as the EIR consultant and applicant is available for basic questions to the planning commission, if they have any. However, the intent of today's meeting is to strictly obtain comments and concerns regarding the EIR. Other components such as compliance to the County general plan, zoning regulations and subdivision process will be discussed at a future hearing.

To provide a brief overview of the project, the subject site is located at the northeast corner of the intersection of Bel Aire Road and Ascension Drive. It is situated on a hillside with average slopes of 40 percent. The subject site is surrounded by single-family dwellings, including the Baywood Park neighborhood to the northeast, the Enchanted Hills neighborhood to the southeast and southwest, and the Starlite Heights neighborhood to the northwest.

The College of San Mateo campus is located less than a quarter mile northeast of the subject site via Parrott Drive.

The proposed project is to subdivide six legal parcels, which make up the project site situated on a hillside, into five parcels for the proposed development of single-family residences as

1 allowed by the existing R1S8 zoning district. The
 2 proposed new parcels would range in size from
 3 approximately 10,000 square feet to 17,000 square
 4 feet. Again, as allowed by the R1S8 zoning
 5 district, and would be orientated along both sides
 6 of a new private main access road in a loop
 7 configuration.

8 The project would also include a tot lot,
 9 an 8,000 square foot playground facility located
 10 near the subject site's main entrance. A 19,602
 11 square foot area in the southwest corner of the
 12 subject site adjacent to Bel Aire Road and
 13 Ascension Drive is proposed as a protected area to
 14 enable limitation of a conservation easement in
 15 order to address the existing erosion located in
 16 this area.

17 The remaining 4.12 acres will be allocated
 18 for additional conservation regions to be utilized
 19 as commons area, which will surround the southern
 20 and western portions of the subject site.

21 Due to the design of the subdivision of
 22 topography, an emergency vehicle access road is
 23 required in order to provide secondary emergency
 24 fire access within the subdivision. This emergency
 25 access, which is to only be used by emergency

vehicles, would connect the interior private street loop with Ascension Drive. The 20-foot wide roadway requires the maximum 20 percent slope and multilevel retaining walls in order to negotiate the hillside down to Beaver's Point on Ascension Drive.

At the center of the subject site is an existing water tank owned and operated by the California Water Service Company, located on a separate 22,500 square foot parcel.

The water tank is also used as a cellular communication facility. This separate parcel is not part of the project -- proposed project and will remain after the development of the proposed subdivision.

To give a brief overview, the specific application components which will require planning commission consideration include, one, subdivision of the six parcels that make up the subject site to create 25 new residents. Two, the issuance of a grading permit for all improvements with the project, which would include site preparation for each lot, the private access street, and the emergency vehicle access road. And finally three, the removal of four eucalyptus trees required for

1 the installation of the emergency access road.
2 These permits will be considered together at a
3 future hearing.

4 In addition to these -- the consideration
5 of the aforementioned applications, an
6 environmental review of the project is required in
7 accordance with the California Environmental
8 Quality Act.

9 Based on the nature of the project, it was
10 determined that an environmental impact report was
11 required to analyze the potential impacts of the
12 project. This document requires certification by
13 the planning commission, which would occur at the
14 same time the required applications are considered
15 by the planning commission.

16 The development of the environmental
17 impact report is broken up into three basic parts,
18 first is public scoping session, which is held to
19 help identify initial impacts and potential issues
20 prior to the drafting of the report. This was held
21 December 2003.

22 Next the draft copy of the EIR is
23 circulated for public commenting, which for this
24 project was circulated this summer, starting June
25 22nd.

1 Lastly, the final EIR is developed for the
2 planning commission's consideration for
3 certification, that responds to the comments raised
4 during the required commenting period.

5 As mentioned in my opening comments, the
6 purpose of today's meeting is to gather additional
7 comments regarding the draft environmental impact
8 report in order to supplement the responses already
9 received. Following the close of public -- of the
10 public review period, this afternoon at 5:00 p.m.,
11 staff along with Christopher A. Joseph &
12 Associates, environmental consultants retained by
13 San Mateo County will review and prepare responses
14 to comments received today at today's meeting as
15 well as those written comments received by planning
16 staff during the public commenting period.

17 Comments and responses to the comments
18 will be included in the final EIR document, which
19 is anticipated for availability this November.

20 The planning commission is not required to
21 approve the final EIR, nor will a decision for the
22 project be made here today. The Ascension Heights
23 subdivision and project and final EIR is
24 tentatively scheduled for a hearing by the planning
25 commission on December 9th.

1 Staff recognizes the numerous concerns
2 raised on the project and has taken steps to ensure
3 those concerns are being captured in order to
4 create a thorough and concise environmental
5 assessment. Today's meeting as well as a six-week
6 extension of the 45-day commenting period are
7 examples, and staff will continue fostering
8 discussion as the project progresses forward.

9 This concludes staff's presentation.

10 MR. RANKEN: Thank you very much, my
11 apologies for my late arrival. Are there any
12 questions from the commission to the staff?

13 Okay, thank you very much.

14 If I could take one moment to collect
15 myself, again, my apologies.

16 UNIDENTIFIED MALE: Are we going to have
17 an applicant presentation or is that not
18 appropriate at this point?

19 MR. RANKEN: No, I don't believe we will.
20 I think the purpose of this time was simply to
21 introduce the EIR into -- and to afford the
22 public a forum in which to comment on it.

23 MR. WHITLOCK: So I guess we just march
24 forward.

25 MR. RANKEN: Okay.

Once again, my apologies for the delay.

What this is, as you heard, this is a presentation or opening of the environmental impact report public hearing. I'm now going to open the public hearing, which gives you the audience a chance to speak to us and give us any feedback as far as your thoughts on the project and specifically on the draft of the EIR.

Now, the way the process works if you have not filled out one of these yellow cards, there is a stack of these cards outside the front door. And if you could please fill one out at this point and bring it up to Rosario, who is in front of me here. Each speaker has three minutes to make a presentation, you're welcome to speak the full three minutes, I'm quite strict about holding to that, because we do have a good crowd, but again, we do appreciate you being here, we welcome and encourage you to speak as much as you need to on that issue.

The way the process works again is I will read -- I'll read a list of names and then I'll -- after -- let's see, I'll read each name as it comes up and I'll give two names in advance so you can see if your name is coming or not.

1 So again, now that I'm here. Without
2 further adieu, we're going to start with
3 Angela Strickley and move on to Craig Nishizaki and
4 Douglas Henton.

5 MS. STRICKLEY: He wants to go first, I'm
6 sorry.

7 MR. RANKEN: What is your name, please?

8 MR. OZANNE: Jerry Ozanne. I'm president
9 of Baywood Park Homeowners Association, we'd like
10 to give a short presentation.

11 MR. RANKEN: Okay, go ahead.

12 MR. OZANNE: Put it in perspective.

13 As I say, I'm president of the homeowners
14 association, and I want to summarize a little bit
15 from our perspective and then there are lots of
16 people here who'd like to talk so I will move
17 forward with this.

18 This is just a picture from Ascension
19 showing what the hillside looks like and it's
20 actually really quite steep, but slopes as high as
21 69 percent on that. There are serious areas of
22 erosion that have not been repaired for quite some
23 time. Some of the neighbors along Ascension
24 thought this project might be a good idea because
25 they would repair some of these road areas,

71-1

71-2

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1 however, the EIR, it says the conservation area
2 would be on this unprotected and unrepaired. So
3 that erosion is not going to go away.

71-2

4 They're also cumulative impacts that have
5 not really been addressed, the Crystal Springs
6 bypass tunnel as you can see is very close, the --
7 the crane to the right is from the tunnel and the
8 hill you see with the water tower on the top is --
9 is right behind that. And there are multiple
10 houses in between the two.

71-3

11 We've had many slides along here as
12 everyone's aware, Ascension Heights hill and
13 there's a slide right there, that at the bottom of
14 the slide gives a close-up of it and the amount of
15 effort that's been made to -- to retain that slide.
16 It's not inexpensive and the major problems to it
17 was (inaudible) with people.

71-4

18 This is a massive project in scope and
19 duration, it's three -- over 13 acres, average
20 slope of 40 percent, 130,000 cubic yards of grade,
21 6,000 trips of 20 cubic yard trucks. Six months
22 for the grading, four and a half years for the
23 project, diluted the hillside for the entire time
24 with houses being built in groups of four to six.

71-5

25 What does 131,000 cubic yards look like?

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1 Well, I thought one way to demonstrate that is to
2 start with a column, a square column, ten feet by
3 ten feet on the side, and the question is, is it --
4 where does it fit, Mount Diablo, Shasta, McKinley
5 or Everest. Actually, it's way up there at 6.7
6 miles high. It's an enormous of amount of dirt
7 that's being distributed across this.

71-5

8 The alternatives are not defined. So
9 those are the relative orders that we'd expect the
10 grading and reduced amount of grade for
11 alternatives, but there's no definition, no
12 inclusion in that in the EIR and that's one of the
13 problems that we have with this. The alternatives
14 are not defined, the grading volumes and durations,
15 air pollution, construction noise, health impacts,
16 traffic, project duration, visual impact, et
17 cetera, not defined for any of the alternatives.

71-6

18 So from a community standpoint to look at
19 these and decide whether if the -- if the primary
20 project is -- is too large, what are the
21 alternatives and what do they mean. We have no way
22 to deal with -- with assessing what it means to go
23 in and look at other alternatives.

24 What they do come up with in their -- in
25 their estimation is that the -- the PM10 emissions

71-7

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1 will be 800 percent greater than the operational
2 thresholds. Nitrous oxide are 2.2 times
3 operational thresholds.

71-7

4 There's no information about street and
5 house (inaudible) grading. That part of it is not
6 included in terms of any (inaudible).

71-8

7 Here's a Google shot of the site. If we
8 put a single off-the-road grader here and look at
9 what pollution it may create in one hour
10 concentrations that are significant from a health
11 standpoint -- which I'll talk about in a moment --
12 reaches that range; two hours it's gotten to the
13 edge of the property; four hours it's starting to
14 encroach on the rest of the houses; and six hours
15 it's actually gotten quite a few in that.

71-9

16 These are significant from a health
17 standpoint, these concentrations are at this point.

18 One of the questions --

19 MR. RANKEN: Go ahead, I'm going to cut
20 you off, first of all, that was a three minute
21 time, I'm going to give you more time, but I wanted
22 to clarify, first of all, you are speaking for a
23 group of people here, right?

24 MR. OZANNE: Correct.

25 MR. RANKEN: Okay, then, I apologize for

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1 not clarifying this before the meeting. I think
2 I'll give another seven minutes, if I could, for a
3 total of ten minutes.

4 MR. OZANNE: Thank you.

5 MR. RANKEN: Again, sorry for not
6 clarifying that earlier.

7 Again, though, this -- just to be -- this
8 is a special condition because he's a
9 representative for all of you, and you are also
10 each welcome to come speak for another three
11 minutes yourselves. So let's keep that in mind.

12 Thank you, sir.

13 MR. OZANNE: One of the problems is, is
14 that in this area you look at what happens to the
15 pollution if there's no wind, I looked at the area
16 and the contra lines that are dependent, that are
17 lower than the hill, and it's a fairly large area
18 of houses that are, so that if there's no wind,
19 which does occur, and we have pressure inversions,
20 in six hours you'd cover an enormous part of the
21 neighborhood with, again, significant
22 concentrations.

23 The air quality assessments excluded
24 tremendous numbers, are very important confluence.
25 The model used to predict the amount of -- of

71-10

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emissions was not defined, assumptions were not defined, you could find no evidence that there's actually been an expert that had created that. There's no meteorologic model, no dust volume estimates, no on-site contaminant monitoring proposed, no air quality analysis, construction of the alternatives, no air mitigation proposals in there, and no concentration estimates either, even though we requested them six years ago in 2003.

The pollution risk is something I will talk about. I'll step back slightly and say that I'm a physician and do deal with these aspects, clinical aspects, so I speak in this respect in terms of having expertise in this field, in terms of the medical field.

But the small particles I won't go into. But the health risks, the key point here is that they're short-term exposures, 24 hours will create within the next 24 to 48 hours, substantial health outcomes. Death, heart attack, stroke, asthma attacks, and chronic obstructive pulmonary disease episodes occurs within 24 hours of the exposure. The highest risk are obvious elderly people with cardiovascular disease, children.

The effects are cumulative, so that you

71-10

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1 need the concentration, portion of concentration
2 and duration of it, and none of these risks were --
3 I won't go into this, but it's a very simple
4 calculation. You look at the concentration,
5 duration exposure and the amount of complications
6 for -- per concentrations increase, it's a very
7 simple calculation. And again, depending on the
8 assumptions, but we don't have the -- we don't have
9 the data because we don't have any concentration
10 estimates of this project, but you could expect if
11 you had 200 people at risk, 65 years or older there
12 may actually be a death of somewhere between one
13 and three, occurring in the 300 days' worth of
14 exposure.

71-10

15 This potentially is 4.5 years of exposure,
16 but again, we don't know what the concentrations
17 are during the entire time.

18 The problem with -- with dealing with this
19 is that the -- from the -- from the legal
20 standpoint, that if you have a solution, meaning if
21 you have done construction mitigations, that by
22 definition makes the impacts less significant.
23 However, this has absolutely no impact on the
24 actual people who live there, that doesn't reduce
25 our risks, it doesn't reduce the health issues, the

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1 quality of our life or mortality risks. So this is
2 a real issue for us, and it's a real issue that we
3 will have to come back and -- and revisit.

71-10

4 From the standpoint of what was not
5 disclosed we have a written presentation
6 summarizing or defining all of this, and only talk
7 about a couple of these. The fire protection after
8 well over six years of planning on this, have not
9 received approval for -- for their access for the
10 fire protection. And they've -- if you look at
11 that, I've not detailed it here, but the access
12 road, the emergency access road is actually right
13 up that steep slope where I first -- the first
14 picture that I had. So you go a long way to create
15 a solution, but it's still not acceptable to the
16 fire marshal.

71-11

17 The noise level is another aspect that
18 I'll just touch on now, and that is that that is
19 significant, and it's not mitigated, the noise
20 levels, and the solutions.

21 The problem is that they only dealt with
22 one piece of equipment at a time. So we have a
23 noise level for one piece of equipment, but I can't
24 imagine there's only going to be one piece of
25 equipment working at any one time.

71-12

1 So you actually have the summation of
2 these notes, there's no assessment of what the
3 summation or estimate of what the -- what the noise
4 levels will be in the neighborhood.

71-12

5 You will find as I mentioned, I didn't
6 point out but the people along Parrott are not only
7 hit with construction on the west side, they're hit
8 with the traffic that goes right down Parrott,
9 taking all the trucks past them.

71-13

10 So they get a double whammy on either side
11 of their houses.

12 In conclusion, we think that incomplete
13 and absent disclosures throughout this document,
14 unsubstantiated conclusions, avoidance of obvious
15 mitigation measures, they -- they have not
16 acknowledged the needs and mitigated the dust or
17 any of the construction project -- processes.

71-14

18 The -- the project isn't stable, they
19 haven't defined the final format so it makes the --
20 just presenting the description very difficult for
21 us to really assess them. Health risks are very
22 serious to us. And it is our conclusion and we
23 hope yours, that it is inadequate making uninformed
24 decisions by either public or the agencies and we
25 ask that it be -- the EIR be revised and

71-15

71-15

recirculated in its entirety.

Thank you very much.

MR. RANKEN: Thank you very much, we appreciate the input.

I will be starting with the next speaker.

I wanted to clarify briefly, if I could, with staff, this is touched on in the staff presentation basically, but could you clarify again, the public has a lot of concerns they're raising, as you can see. Can you clarify specifically how these concerns will be incorporated into the draft EIR, and how -- how the conditions are dealt with?

UNIDENTIFIED MALE: After we take in all the written comments and verbal comments submitted today, they'll be analyzed by staff and the consultant. At that point, a determination will need to be made as to whether or not the comments will be responded to in the form of a final EIR that will include a response to comments or recirculated, a revised updated draft. At this point it's premature to make a determination as to whether or not we would recirculate the draft, we need to take the comments in, consider it then, and then evaluate whether recirculation is necessary, or taken effectively addressed in the final EIR.

1 MR. RANKEN: Okay, thank you very much for
2 the clarification.

3 So -- so I want to stress, once again, the
4 importance of the public reports, all of you people
5 in this process. The input that you bring to us
6 is, again, it's integrated with the draft EIR that
7 we have and that is what leads to a final product.

8 Thank you all for coming, and let's move
9 on now. Angela Strickley is first speaker and
10 she'll be followed by Craig Nishizaki and
11 Douglas Henton.

12 MS. STRICKLEY: My name Angela Strickley,
13 I'm going to talk about something very fast,
14 because already -- on environmental report there
15 are couple issue to address, No. 1 is conversation
16 plan, and the other one is the necessary, the
17 enforcement from the County.

18 The number I need to talk about is the
19 landslide is very serious concern. Because I said
20 earlier, you will see, the land already sliding
21 down, if nothing build on it, already coming down.
22 And therefore, what we have here is all the
23 sandstone, cut the soil, so it -- it can be very
24 dangerous for any construction, that's why in the
25 beginning, the original, the -- the Crystal Springs

71-16



development company did not build anything on it,
because that reason. But because of the landslide
and it is above the whole neighborhood, and that's
why the original company 50 years ago, they did not
build anything.

And I understand that on -- on
that environmental report they -- they talk about
they going to build man-made structure, try to --
to -- to try to stop the -- the landslide, but --
but I think those are man-made structure, that
everything were. The foundation is building on
those sandstone, those sand soil, it's not going to
be stabilized. As we've seen Highway 1, those --
those landslide happen every year.

And they -- they have the same structure,
the same soil on the hill, Highway 1, those
landslide area.

And it doesn't matter how sophisticated
the engineering, there's no way to -- to apply for
natural gravity. And the land keep -- just keep
sliding down naturally, so those -- those retain
wall will fall and -- anyhow, it's not going to
stay there forever. Also, we believe (inaudible)
area, it may happen any time.

And -- but when -- when it already happen,

71-16

1 those -- those are -- the wall will -- will fall
2 into surrounding the house area.

3 More than 20 houses around the hill area
4 on the bottom, and if the wall falling, someone's
5 going to die, the house is going to be gone, that's
6 someone's home. People need to consider. And --
7 and if the retain wall fall on some of the houses
8 on the bottom of the hill, it's going to affect a
9 couple blocks all the way down to -- to the bottom,
10 that's -- that's the (inaudible), that's a natural
11 gravity.

71-16

12 MR. RANKEN: Okay, thank you very much.

13 MS. STRICKLEY: And the other one --

14 MR. RANKEN: I'm sorry, you've had your
15 three minutes, I'll have to cut you off. We do
16 appreciate your concerns. We will be addressing
17 these issues as the meeting goes on.

18 MS. STRICKLEY: Let me have one more
19 minute, it's very important.

20 MR. RANKEN: Ma'am, ma'am, we have to
21 place a strict three minute limit. We did have a
22 presentation for the group and each individual
23 speaker is only allowed three minutes, we have to
24 cut you off.

25 MS. STRICKLEY: I need to mention, no one

71-17

1 knows it. The inclusion is the most things
2 pollution cause cancer.

3 MR. RANKEN: If you please could make your
4 comments in writing to the staff. At this point
5 it's a public hearing but it's not -- you -- you're
6 free to submit additional comments in writing to
7 the staff so you can do that, and they will be
8 taken --

9 MS. STRICKLEY: I also -- I want everyone
10 know that the pollution, did not mention on the --
11 on the report. Benson (phonetic) is very
12 dangerous, the chemical, if will -- it will cause a
13 cancer, the Benson is pollution from the diesel,
14 cause all kind of diesel truck.

15 MR. RANKEN: Thank you very much, we will
16 be taking it into account, we will have to cut you
17 off at this point.

18 Our next speaker will be Craig Nishizaki,
19 followed by Douglas Henton and then Donald Nagle.

20 MR. NISHIZAKI: Good morning, my name is
21 Craig Nishizaki, I live at 1474 Parrott Drive.

22 So we have the building behind us, all the
23 construction behind us and then all the trucks will
24 be traveling on Parrott in front of us, so this is
25 a double whammy. We enjoy our neighborhood, we

71-17

71-18

71-19

1 enjoy walking around, we enjoy going to the
2 farmers' market, we enjoy working and playing in --
3 in our backyard. This is our home, this is our
4 neighborhood.

5 After reviewing the project proposed in
6 the EIR I have many concerns. The health risks,
7 the traffic, and also the -- the grading on the
8 hill, the building on the hill we feel it's very
9 unstable. Due to the shortage on time, I'll focus
10 mostly on the health issues. That's the biggest
11 risk in my -- in my opinion. All three of my
12 children and myself all have allergies, we have a
13 lot of seniors and a lot of infants living in the
14 neighborhood.

15 With all of the mountain pollution coming
16 from the dirt and the diesel exhaust during the
17 rough grading, the straight paving and also the
18 site preparation for each home, we feel that this
19 increase in -- the huge increase in dangerous
20 particles we will be affected, we will be breathing
21 this in for the next four and a half years.

22 I'm concerned and scared that the DIR
23 doesn't adequately address the risks from this
24 prolonged exposure. Will my family be sick more
25 often? Do I need to wear a mask, a respirator when

71-19

71-20

I go outside? Are there some days when we should just stay inside or actually leave the area? How wet of an area will be affected by these particles? How many seniors and infants live in the area and how will their lives be affected? Has a risk to their health been adequately assessed? Will they be effected by asthma, lung disease and possibly death? I'm scared of these unknowns, and I think we need to have these risks adequately and completely understood before this project can go further.

71-20

So this project will adversely impact the neighborhood for four and a half years, I don't feel the DIR has adequately assessed the impact that this project will have on the community, I don't feel the County agencies have enough information to make a correct decision, and I feel that the DIR should be revised and be recirculated in its entirety.

Thank you.

MR. RANKEN: Thank you, Mr. Nishizaki, appreciate your comments.

Douglas Henton is next followed by Donald Nagle and Harris Dubrow.

MR. HENTON: Thank you for letting me

71-21

1 speak today, Doug Henton is my name, I live at 175
2 Parrott Drive.

3 And we've had a chance to review the draft
4 environmental impact report and we have serious
5 concerns about the project. Let me just make a
6 couple points, I had already submitted a letter.

7 I know the area quite well, and the
8 proposed site as mentioned has an average steepness
9 of 42 percent. It not only will require extensive
10 grading and construction, but also several large
11 retaining walls. And I think you are aware as
12 pointed out over the years that there have been
13 several major landslides near the site. There was
14 major slide above Ascension Drive that required
15 construction of a very large retaining wall to
16 shore up the hillside. And also northwest of the
17 site there has been a major landslide above
18 Polhemus Road, near Randall Drive, that required --
19 and also a large retaining wall.

20 As pointed out in the draft environmental
21 impact report, the southern slope of this parcel
22 has been graded significantly over the years and
23 the site has eroded, you can see gullies spread
24 across it. Preparing the site for development
25 would require, as pointed out, extensive grading,

71-21

131,000 cubic yards of earth graded, and the hill is sandstone, and even with the proposed construction of retaining walls, when sandstone is exposed to the environment it erodes very quickly.

The final point I want to make is, I've had a professional opportunity to interact with the County of San Mateo, my firm (inaudible) has worked with county supervisors to prepare Vision 2010 and Vision 2025 based on town hall meetings in all the districts of San Mateo County, and I just want to highlight that for the record, the vision goals that I believe this project does not subscribe to.

Goal, new housing should be clustered where jobs and commercial services along transportation corridors, vision goal, land use decision should consider trans -- transportation and other infrastructure needs as well as the impact on the environment and surrounding communities.

The bottom line of this goal if adopted by the County supervisors in '99 and reaffirmed in 2009, is the -- design an urban environment to increase vitality and reduce congestion and promote compact development.

Just as late as June, in the revision of

71-21

71-22

the Vision 2025, again, based on town hall meetings across the entire county, they adopt this vision of liveability. Our growth in this county should occur near transit appropriate -- promotes affordable housing, livable communities connected to other communities. I don't believe this particular site fits any of those goals, and I would be happy to submit this vision document -- Vision 10 and Vision 2025 for the record.

71-22

MR. RANKEN: Thank you. Thank you, Mr. Henton.

Donald Nagle is next followed by Harris Dubrow and then followed by Caron and Noam Tabb.

MR. NAGLE: Good morning, my name is Donald Nagle, I live on Parrott Drive, five houses up from Mr. Nishizaki. I'm one of the seven property owners directly adjacent to the site. I also have three documented cases of allergies in my family, we're very concerned about the same questions that Craig raised: Do we wear masks during this five years of grading?

71-23

Separately, I worked with numerous folks in the neighborhood, we've collected 429 petitions against this project, 429 signatures, I'd like to

71-24

1 submit those for the record, I think that speaks
2 for itself.

3 We have a very large community of elderly,
4 many of whom came today, as you could see, but
5 countless could not come, and just -- they're --
6 they're 70, 80 years old, but they all signed the
7 petition.

8 Additionally, I have 22 additional letters
9 for Mr. Castateda, where people took me aside and
10 said since the deadline's today at 5:00, they'd
11 like me to hand-deliver those.

12 Two other points I'd like to make, I'm
13 concerned about the -- I hope this doesn't come out
14 the wrong way, the integrity of the developer and
15 the applicant. During the scoping period I
16 mentioned that I have three gigantic trees on my
17 property, I have this in my letter that I'm
18 submitting, but one of them is 20 feet in
19 circumference, the other two are 12 feet in
20 circumference. During the neighborhood meeting I
21 mentioned it, during the scoping meeting I
22 mentioned it.

23 Mr. Thomas who is the applicant's
24 developer said don't worry, we'll take care of it.
25 All four plans show disrupting my trees, and I

71-24

71-25

1 don't think they have a right to disrupt my trees.
 2 They're putting either a sewer system through the
 3 root system, they're putting a private road through
 4 the root system or they're putting a house through
 5 the root system. Each time they say don't worry,
 6 Mr. Nagle, we're not going to build on your area,
 7 where the trees are impacted.

71-25

8 So the last item is the wildlife survey, I
 9 don't think anyone else is going to point this out,
 10 someone came out for a few hours one day and found
 11 one deer and no other wildlife, which is crazy. We
 12 have a pair of breeding owls on the hill and I
 13 think it's incumbent upon the planning commission
 14 to determine what the species of the owls are.
 15 They have been there for three years, one of them
 16 has been there for ten, but they've been a breeding
 17 pair for three. So I'll reserve that.

71-26

18 What's the appropriate way to deliver the
 19 petitions, and then the additional 20 letters?

71-27

20 Thank you very much.

21 MR. RANKEN: Thank you very much,
 22 appreciate the input.

23 Mr. Dubrow is next followed by Caron and
 24 Noam Tabb.

25 MR. DUBROW: My name is Harris Dubrow, I

71-28

live at 1705 Los Altos Drive, which is below it or south of the project.

I too of course am concerned about the air pollution from the trucks and from the earth-moving. And particularly concerned because I'm suffering from lung cancer.

And -- and obviously would be impacted and purely may not be able to go out in that period during intense construction.

The reading of the draft EIR, I was -- it particularly became apparent as mitigation matters were discussed that the issues should rather than shall, may rather than must be addressed. And there do not appear to be any mandatory monitoring procedures within the EIR. It seems to me that whatever mitigation measures are going to be taken should be monitored and should be recorded back to the community.

Another area not addressed is the financial impact to the community and to the service areas that are impacted here. We are storm water, sewer, fire, lighting, and access roads, the roads around.

What's going to happen when all of the trucks for this movement of 130,000 cubic yards of

71-28

71-29

1 dirt are going to be going over the County's roads
2 and the adjacent city's roads? Will those cause
3 wear and tear on the roads? And there is no
4 mitigation, nothing being impressed there.

71-29

5 I appreciate your inclusion of
6 considerations of those special districts,
7 financial (inaudible) into your considerations as
8 well.

9 I appreciate your time, thank you.

10 MR. RANKEN: Thank you very much.

11 Next is Caron and Noam Tabb, actually you
12 are certainly welcome to speak individually, and
13 each one -- each speaker will have three minutes so
14 if you wanted to speak three minutes for yourself
15 and three minutes for Caron, that's fine. And if
16 you could start out by stating your name please for
17 the record.

18 Thank you.

19 MS. TABB: My name is Noam Tabb. Dear
20 members of the San Mateo County Board of
21 Supervisors and Commissioners, I am ten years old
22 and I live on Parrott Drive, 1556, between the
23 College of San Mateo. Behind my house is a
24 beautiful open space with the hill and the woods.
25 Almost every time I look through the fence that

71-30

1 leads to that big open space, I see deer, owls and
 2 insects, that is their natural home and I think it
 3 will be very inhumane to take that away from them.
 4 If this destructive building were to take place, we
 5 would not only impact the animals but (inaudible).
 6 For five years we would have to hear construction
 7 around us, there's nothing that we could do about
 8 it.

71-30

9 This is one of the reasons why my family
 10 and I moved here three years ago. I really don't
 11 see any upsides to this idea, a bunch of houses
 12 that people might not even buy in place of the
 13 natural area and the wildlife. So really please
 14 think about this building. Also, help me protect
 15 my home.

16 Respectfully yours, Noam Tabb.

17 MR. RANKEN: Thank you very much,
 18 Mr. Tabb, we appreciate the comments.

19 Now, does anyone else want to speak --
 20 thank you very much, we appreciate your comments.

21 We'll move on to Jean Kidera next,
 22 followed by Gerard Ozanne and Marilyn Haithcox.

23 MS. KIDERA: It's hard to come after a
 24 child.

71-31

25 Good morning to all. I'm addressing

1 mainly things that have happened or are happening
 2 around my own home, not the general likely medical
 3 causes. Because these are very specific things and
 4 part of a longer letter that I had.

5 I live at 1432 Bel Aire Road, which is on
 6 the roof where the cars and the trucks would be
 7 coming out and trying to get at Laurie Lane. We
 8 took possession of this property January 1, 1980.
 9 And as we became acquainted with our next-door
 10 neighbors, we learned that they had had problems
 11 with the settling of their homes. Since our house
 12 was already 20 years old, we weren't particularly
 13 concerned, as we thought it had done all of the
 14 settling by this date.

15 However, as time went by, we found that it
 16 would be necessary to have our house leveled. Just
 17 prior to the earthquake in 1989, deep soil
 18 samplings were made around our house and it was
 19 determined that it be necessary to have pilings
 20 down to bedrock with cement pads on top of these
 21 pilings, which would be level and meaning that our
 22 house would be -- continue to be level, and would
 23 stay in place regardless of the movement of the
 24 earth.

25 In 2008 we had stoops put in where the

71-31

1 sliding glass doors open to the lower brick patio.
 2 This was necessary due to the fact that from 1989,
 3 when the house was put on the pilings, until 2008,
 4 nine years later, the ground had sunk a minimum of
 5 four inches, making it dangerous to exit the
 6 sliding glass doors.

7 In 1997 we had our fence -- property
 8 fenced because we no longer wished to feed the deer
 9 that wandered in the lower areas. Sorry to look at
 10 them next door.

11 For safety purposes we had two gates
 12 installed so that in case a fire trapped a person,
 13 a person could escape. For the last seven or eight
 14 years, the latches on the gates have been unusable
 15 because of the continual slippage of the soil. We
 16 must now tie the gates to the rigid posts with
 17 wire, which you could easily remove the knots.

18 The cement floors in the basement and
 19 garage that were not on pilings have continued to
 20 crack. However, the rest of the house appears to
 21 be solid, because of resting, for lack of a better
 22 word, on bedrock.

23 As you all know, these hills are filled
 24 with underground streams, we hired a dowser to
 25 evaluate where we could put in pumps, if we ever

71-31

1 wanted to use that water for irrigation.

2 Two holes were dug and --

3 MR. RANKEN: Hold that thought, please.

4 MS. KIDERA: Two sentences.

5 MR. RANKEN: No problem.

6 MS. KIDERA: And let down a yardstick to
7 which I tied some string so that I could measure
8 how much the amount of water varied in depth. At
9 this writing the two holes have been covered with
10 soil, so soil won't get into the pipes. So we know
11 there really is water in these hills.

12 The point of what I've written above is,
13 let the buyer beware.

14 MR. RANKEN: Thank you.

15 Dr. Ozanne is next followed by
16 Marilyn Haithcox and then Linda Ozanne.

17 Oh, I'm sorry, in that case
18 Marilyn Haithcox followed by Linda Ozanne and
19 Pat Dubrow.

20 MS. HAITHCOX: I'm Marilyn Haithcox, I
21 live at 1486 Ascension Drive.

22 Two years ago my husband and I moved from
23 the Chicago suburbs back to California. We had
24 started our married life in Berkeley, he's studying
25 for his Ph.D. and I'm teaching elementary school.

71-31

71-32

Now, all three of our children and grandchildren live on the Peninsula and we wanted to spend our retirement years near them.

After a year of searching, we found our little piece of paradise here in Baywood Park. We have now come full circle, but suddenly that paradise is threatened by a project that is beyond excessive and extreme.

We never dreamed that the wonderful rugged hill rises so steeply just a half block from our home could be destroyed by a developer. The end result will be an eyesore of massive retaining walls and rows of houses that do not respect the natural landscape forms, the hill will be butchered.

We also have great concerns about the amount and type of pollution that we will be subjected to with this development. Statistics show that these pollutants can cause severe health problems and even deaths among seniors, young children and those susceptible to respiratory illnesses. My husband has a severely compromised immune system, due to two illnesses, giant cell arthritis and blastomycosis, it is dreadful to think that the toxic pollutants produced by the

71-32

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71-34

1 extensive grading and the diesel fumes and this
 2 four- to five-year project would almost certainly
 3 damage his health further and possibly cause his
 4 death.

5 The disruptive and extensive duration of
 6 this four- to five-year project, the impact on
 7 traffic and sewers during and after completion and
 8 most importantly, the negative impact in all
 9 respects on the quality of life of the
 10 neighborhood, both short and long-term, all combine
 11 to do nothing less than a horror story.

12 We do sincerely hope that your California
 13 sensibilities and wisdom will stand up for the
 14 environment and the neighborhood residents, and put
 15 an end to this development so that we may continue
 16 to coexist serenely with Water Tank Hill and enjoy
 17 our lives in this tranquil setting.

18 Thank you.

19 MR. RANKEN: Thank you Ms. Haithcox.

20 Linda Ozanne is next followed by
 21 Pat Dubrow and Peter Lawrence.

22 MS. OZANNE: My name is Linda Ozanne, I'm
 23 at 1434 Enchanted Way, which is one street down
 24 from Bel Aire, I'm also a board member of the
 25 Baywood Park Homeowners Association.

71-34

71-35

1 We as an association would like to see
 2 increased opportunities for communication. This
 3 meeting is fine, we have a lot of people here, but
 4 this is a tiny fraction of the concerned citizens
 5 that we have in the neighborhood surrounding the
 6 proposed development.

7 As -- as active board members of our
 8 association, we also are well acquainted with the
 9 Highlands proposed project. There was a meeting
 10 held for those people on a weeknight at a
 11 neighborhood school. We would like very much to
 12 have that kind of access for our people, not 9:00
 13 a.m. on a workday, but sometime in the evening, in
 14 our neighborhood, where many more people could come
 15 and express their views regarding the
 16 unacceptability of this project in our
 17 neighborhood.

18 If there's anything you can do to
 19 reschedule this kind of meeting, make it at a time
 20 when everybody can come, at a place everybody can
 21 get to, our association would be very grateful.

22 Thank you.

23 MR. RANKEN: Thank you.

24 Dr. Dubrow followed by Peter Lawrence and
 25 Robert Wong.

71-35

71-36

MS. DUBROW: I'm Pat Dubrow and I live at 1705 Los Altos Drive, and I'm a member of the San Mateo Oaks Homeowners Association.

I wanted to speak today on the health issues, as you've heard a lot about. A project like this with so much dirt removal and so much diesel equipment will put a lot of pollutions -- pollutants into the -- into the air. Also, prior studies have shown that there is asbestos in the dirt up there, but that was not addressed in this current EIR. Studies have shown that this is particularly detrimental to sensitive people and can trigger, as Dr. Ozanne said, asthma, heart attack, stroke and lung inflammation.

Those people 65 and over and five and younger are particularly susceptible.

I surveyed those 18 houses closest to ours, there are 23 people who -- in this category, and two more to be born before the project is started. I urge the commissioners to please reject the current EIR and send it back to be recirculated due to these unmitigated issues.

Thank you.

MR. RANKEN: Thank you, Ms. Dubrow.

Peter Lawrence is next followed by

1 Robert Wong and Marvin Gin, I believe.

2 MR. LAWRENCE: Good morning. I'm
3 Peter Lawrence, my residence is at 1542 Ascension
4 Drive in San Mateo. And I come to speak not just
5 of property rights, but property responsibilities.

6 The responsibilities go hand in hand with
7 the codes and extend to the morale fabric of our
8 society. In addition to appearing in regulation,
9 we have something that is emotional and cultural
10 that we should be considering.

11 Issues of transparency, honesty and
12 integrity have arisen, as a result of this project
13 and its ongoing nature.

14 In the beginning, neighborhood support was
15 sought and gained as a result of meetings by the
16 developer.

17 In the beginning, as a result of these
18 meetings, a tot park came up, walking trails came
19 up and in the first proposal, even a -- an
20 observation area at the summit was -- was in the
21 plan.

22 In the beginning, assurances were given
23 that there would be consideration given to the
24 privacy and to the lot line issues on the Parrott
25 Drive properties.

71-37

1 In the beginning, any earth movement was
2 to be from one part of the project to another part
3 of the project.

4 In the beginning, fewer houses were
5 proposed.

6 What we see now is a far cry from those
7 original proposals, and the results of the
8 meetings. And it raises questions about what might
9 be next to go or what might next be added.

10 For instance, the tot park, the walking
11 trails, would you seriously consider buying
12 property where you would be paying annual fees for
13 the maintenance, the preservation, the protection
14 and perhaps even legal liabilities or damages from
15 a tot park, for an injury from a walking trail if
16 those trails and the tot park were open to the
17 general public, and not just to the property owners
18 within the project?

19 This project needs to be reconsidered. It
20 is an issue of property rights, but it also smacks
21 of bate and switch.

22 Thank you.

23 MR. RANKEN: Thank you, sir, thank you for
24 your comments.

25 Robert Wong is next, followed by

71-37

Marvin Gin and Ara Jabagehouran.

MR. WONG: Hi, good morning, my name is Robert Wong, I live on 1399 Bel Aire Road, it is right on the corner of Bel Aire and Laurie Lane. And Laurie Lane is that little tiny road which would be used, it's a very steep road as well, that will be used by all of these trucks to transport all of the dirt back and forth. And so I -- I -- I come here as an expert, as far as Laurie Lane is concerned. I -- I know what goes on around there.

This -- this little tiny road is already used as a shortcut by a lot of people, CSM students use it as a shortcut to go from CSM to 280, to and from the school. People from Hillsborough use it to -- as a shortcut to -- you know, we have this popular trail called Sawyer Trail, and a lot of people use Laurie Lane as a shortcut to get to Sawyer Trail.

And I'm -- I'm a clean freak, you know, I've been described as a clean freak, and I -- I love doing, you know, gardening and cleaning up outside the house. And, you know, one thing I notice is I've been -- I'm always picking up garbage that are left by people that are taking Laurie Lane. And, you know, I see McDonald's, bags

71-38

1 of McDonald's, drinks that are just tossed right
2 there. And I'm basically the designated cleaner of
3 Laurie Lane.

4 And so the one thing too, is when we
5 bought this house, it was -- I told my -- my wife,
6 you know, it's like taking a vacation 365 days a
7 year, it's like basically as some of my neighbors
8 have described, it's paradise. And so -- but one
9 thing I didn't know after we had moved in, and, you
10 know, I found out after we had moved in, is how
11 windy it is in this area. It's very, very windy.
12 Especially in the afternoon, the wind just kicks
13 up.

14 Then I just feel sorry, I'm not going to
15 be affected, because the wind is west to east, but
16 the people living down on Ascension, I mean, every
17 afternoon, they'll be dusted, pretty much. You
18 know, it's going to be very, very dusty. And so
19 pretty much that's all I have to say, so -- but
20 I -- I hope you can consider all these.

21 Thank you.

22 MR. RANKEN: Thank you, Mr. Wong.

23 And once again, I assure everybody we'll
24 be considering all of this. Also, we do appreciate
25 the comments, because they are -- again, they are

71-38

1 taken into account, and discussed and processed
2 accordingly, so thank you for being here.

3 Next is Marvin Gin followed by
4 Ara Jabagehouran, I hope I get that right and then
5 Carol McGraw.

6 MR. GIN: My name's Marvin Gin, I live
7 over at 1459 Parrott Drive.

8 And, you know, basically I just want to
9 tell everybody here that I oppose of the project, I
10 don't want -- I don't want the project to go ahead.
11 I don't want trucks coming by my house with dirt, I
12 don't want them digging up the hillside, you know,
13 things like that.

14 I just don't want dirt on my house. I
15 don't want him playing outside when the trucks are
16 going by. I work the swing shift so I don't want
17 noise in the morning. You know, people use Parrott
18 Drive to walk around every day so, you know, you're
19 talking about, you know, elderly people, people
20 with pets walking by, so I'm just wondering, you
21 know, it just -- it just doesn't make sense to, you
22 know -- San Mateo talks about open space, we should
23 just keep it as open space, you know. We shouldn't
24 build anything over there, it's already overbuilt,
25 Parrott Drive is already busy enough, you know,

71-39



1 then you're going to add big trucks, you know, 16
2 wheelers, you're going to dig up the hillside, so,
3 you know, those are real concerns, you know.

4 You know, if they're just going to put a
5 house on there without moving any dirt, that's
6 fine, but they want to take away the whole
7 hillside, and then make room for roads and sewer
8 system, and our sewer system's already -- you know,
9 it's already bad enough, you know.

10 So, you know, I just don't understand, you
11 know, this whole project, you know. I just don't
12 want this to, you know, happen, you know. You get
13 my point? Basically.

14 MR. RANKEN: Thank you.

15 Thank you for your time, if your child
16 wants to speak.

17 MS. SLOCUM: You know, when you start them
18 that young you never know what political career
19 they might take later in life.

20 MR. RANKEN: Big political influence right
21 there, we always like to see that. Okay, I'll try
22 to say one more time, Ara Jabagehouran.

23 MR. JABAGEHOURAN: You say it like that my
24 mom would think you're my long lost brother.

25 MR. RANKEN: Followed by Carol McGraw and

71-39

1 Sheila Shea.

2 MR. JABAGEHOURAN: My name's
3 Ara Jabagehouran, I appreciate your time, I live at
4 1601 Ascension, and unlike a lot of people here I'm
5 actually a relatively newcomer to the area. Moved
6 in in October 2007.

7 The reason why I moved in is (inaudible).
8 I had the pleasure and the opportunity to have the
9 birth of a little boy in 2006, his name is
10 Anda Jabagehouran.

11 And the pregnancy was rough on my wife,
12 they believed that there was something benign in
13 her. And they left the option to her to deal with
14 it after the pregnancy, she decided to go forward
15 with that. They found out it was a malignant
16 tumor, 20 centimeters long, so my wife went through
17 chemotherapy for three months during the summer of
18 2007. Luckily I have family to watch over and
19 excuse my french but I busted my rear end to save
20 up enough money to get my family out of that condo
21 and get them into a nice, big home. I worked days,
22 nights, whatever I could to get my kid a backyard,
23 to get my family, my wife away from noise and get
24 them away from everything.

25 Got her out of the condo and I had the

71-40

1 opportunity to be neighbors with Mr. Saunick
 2 (phonetic) at 1601 Ascension. If you go into my
 3 backyard, I was just there yesterday barbecuing, my
 4 little boy was playing basketball in the backyard
 5 because he hears the Saunicks playing basketball
 6 over there and he says, Daddy, pass the ball. So
 7 we're in the backyard, he's got a little rim, I'm
 8 barbecuing and I look up and I see the hill we're
 9 talking about, it's right there, I'm underneath it.

10 Now, it was indicated that there's two
 11 more on the way, well, that's my wife. Again, I
 12 had the opportunity, my wife is pregnant with
 13 twins. I've got two unborn children on the way,
 14 hopefully it works out. The issue is her health.
 15 My goal was to get my family to a quiet
 16 neighborhood, a safe neighborhood. Now, the
 17 problem I'm going to be facing is now my hand's
 18 going to be forced because I will not, I will not
 19 tolerate the risk to my wife who is already high
 20 risk, to my little boy who is developing and my two
 21 unborn children, I'm not going to tolerate this. I
 22 hopefully will have the opportunity to get out of
 23 there if this project goes forward, but I do not
 24 want to uproot my family, I love my neighbors.
 25 Across the street from me, not to -- my

71-40

neighborhood is full with retirees and a lot of young families, you drive down Ascension any given time you see little kids walking on the street.

These kids are going to be put at risk. I'm deeply concerned about this, again, unlike the physician here, I'm only a man, I don't have the science, but I -- you know, I read the same studies that everyone else reads and I can only apply it, I don't want to expose them to the risk. Nature, all that, by my No. 1 priority is health, bottom line. I take my duty as a husband seriously and as a father seriously and if there's going to be any risk that's going to my imposed on my family, I want to -- I ask the commission do the right thing.

Thank you.

MR. RANKEN: I appreciate your comments, Mr. Jabagehouran, thank you for your presence here.

Carol McGraw is next followed by Sheila Shea and Andrena Gunn.

MS. MCGRAW: Good morning. I've been a resident of San Mateo County for 48 years. For the past 45 years I've lived at 1944 Parrott Drive, San Mateo. Periodically someone revised the plan to build multiple homes or apartments on the property currently labeled Ascension Heights subdivision,

71-40

71-41

Water Tank Hill project. I wish to express my
opposition to this project.

The reasons it should be denied always
remain the same, given again and again throughout
the years, you have already heard a litany of
objections based on the noise, air pollution,
health concerns, safety, et cetera. Our
neighborhood has many original owners of the homes
built in 1953, it is an ageing community which will
be adversely affected by the dangers of
life-threatening pollutants being released into our
area over a long period of time. Our area is known
as Crystal Springs for a reason, it is permeated
with underground water tables, which seep out of
the ground year round. My home has cracks, which
generally widen, depending on the amount of rain we
receive, and water continually seeps out of the
hillside front yard.

Construction at Water Tank Hill will
adversely affect the homes surrounding it, as water
tables are cut through and drained. I know people
who live on CSM Drive, which is at the south side
base of that hill, for years, they've had to put
extra drains in because the water pours out of that
hill, flooding their backyards.

71-41

71-42

I'm also concerned with the amount of increased traffic which will impact the surrounding streets from students at CSM needing to avoid Hillsdale Boulevard due to the trucks carrying in construction supplies and taking out excess dirt over the period of several years. Do you have extra cash to continually repair our neighborhood streets during and after this construction?

Parrott Drive homeowners were trapped in their driveways by bumper to bumper college traffic for about three hours each morning, before a Highway 92 was extended to Catada Road. I lived on the side of the street, the cars were not going uphill, everyone on the south side of Parrott Drive couldn't get out to go to work. The traffic was bumper to bumper and the kids were so intent on getting to class on time, that they wouldn't pause to let someone back out to go to work.

We don't want that again.

Thank you for your consideration and these remarks.

MR. RANKEN: And thank you, Ms. McGraw.

Sheila Shea is next followed by Andrena Gunn and followed by Dr. Robert Snow.

MS. SHEA: I'm a resident on Parrott Drive

71-43

71-44

1 and I live directly adjacent to the proposed
2 development. As a mother of a 20-month-old child,
3 I'm very concerned about the -- the air quality and
4 the extensive traffic that could result if this
5 proposed development goes underway.

6 I'm in the process of redoing my entire
7 garden, specifically, so that my child can run
8 around his backyard freely, safely. And I would be
9 so angry, furious, disappointed if I couldn't do
10 that because I feared for his breathing and the air
11 quality as a result of this project.

12 I'm also concerned about the number of
13 families in this area, who live a half a block from
14 where I live, I can think of about five families
15 with young children under eight and there could be
16 possibly more, and four and a half years is a long
17 time to expose these young children to dust and so
18 forth and stuff that could result.

19 Secondly, I want to point out that traffic
20 is a big concern as well. Daily I look out the
21 window and I see a number of parents with
22 strollers, elderly walking their dogs, and joggers,
23 up and down Parrott Drive, hourly, Monday through
24 Sunday, and I'm concerned about the number of
25 trucks that would be driving up and down Parrott

71-44

1 Drive, and how we're going to move around all the
2 pedestrians.

3 I don't know if you've noticed but on
4 Parrott Drive a number of people -- a number of
5 homes do not have sidewalks, so as a result people
6 are forced to walk on the street. Unfortunately,
7 the residents of this neighborhood -- in our
8 neighborhood are very courteous and are able to
9 move around and drive very slowly but if we have so
10 many trucks coming up and down Parrott Drive, I'm
11 very concerned about their safety and their health.

71-44

12 And finally, I don't think that the impact
13 has been addressed, how these big trucks are going
14 to make wide turns on Parrott Drive and Ascension
15 Drive. These are fairly wide streets but maybe not
16 wide enough to really accommodate those big turns
17 of these huge trucks.

71-45

18 So I hope the commission takes these
19 comments into consideration.

20 Thank you for your time.

21 MR. RANKEN: Thank you, we certainly will
22 take them into consideration, thank you.

23 And Andrena Gunn followed by Robert Snow
24 and Russ Wright.

25 MS. GUNN: Good morning.

1 MR. RANKEN: State your name for the
2 record.

3 MS. GUNN: My name is Andrena Gunn, I live
4 at 1514 Parrott Drive in San Mateo.

5 I have to tell you a little incident that
6 happened recently. I woke up to hearing sawing
7 noises going on in my backyard, and what do I see
8 in the back of this cute little area was a
9 gentleman cutting a tree. And unfortunately, these
10 gentlemen did not know how to cut the tree because
11 the tree ended up falling not only on the gentleman
12 cutting the tree, which of course hit him and he
13 ended up dangling in the tree, he had to be carried
14 down, so he's bleeding like crazy, and the tree
15 ended up coming into my backyard.

71-46

16 They totally crashed into my backyard,
17 into my fence, knocking my fence down. Now, I
18 asked the gentleman what was he doing there? He
19 said we were told by the new owner to clean these
20 trees up, all of them. So they're going
21 systematically cutting trees, already.

22 I was surprised. There were trees coming
23 down, healthy trees, trees that were technically --
24 I believe on people's property and on their
25 property line without permission. Nobody told me I





71-46

was cutting a tree down. I was certainly shocked when I wake up in the morning and see my tree cut. So I want to know why we weren't notified that these trees were going to be cut.

All the dirt was being stirred up and the next thing you know, there's huge truck coming down, they said, well, lady, this truck has to go up and down this road. And I said, well, are you making a new road? And he said, oh, yes, within 15 feet of your fence.

Fifteen feet of my fence? Not only did you just kill my tree but now you've shortened the ground where I'm actually living from. I don't think this is fair. He said, well, you don't understand, you're going to have this road going up and down within 15 feet of your house, daily. People are going to be backing out and using it, daily.

That's an awful lot of pollution. I don't think it's fair.

Thank you so very much.

MR. RANKEN: Thank you for your comments, Ms. Gunn.

Dr. Robert Snow is next followed by Russ Wright and Ted Mellasco.

DR. SNOW: Good morning, ladies and gentlemen, my name is Robert Snow, I live at 194 Christian Court and I can see this Water Tank Hill from my property. I have a Ph.D. in zoology and I would like to comment on the wildlife survey which was done on this hill.

There are, in fact, quite a few more bird species living on this hill than were indicated. There is a pair of Great Horned Owls breeding there, there is also a variety of raptors, including White-tailed Kites, Red-tailed Hawks, Cooper's Hawks, which have a special status, as well as California Quail, and quite a few others.

71-47

This is an island of diversity in the middle of a heavily-developed area. We should maintain it as an island of diversity, because it's supporting a great deal of wildlife. This is not just a case of those of us who are lucky enough to have a home here pulling up the draw bridge so nobody else can live there, there is an area that should be maintained as -- as an undisturbed area because we have so few of these left.

Thank you.

MR. RANKEN: Thank you, Dr. Snow.

Russ Wright is next followed by

Ted Mellasco and Jane Young.

MR. WRIGHT: Hello, my name is Russ Wright, I live at 1574 Parrott Drive, I've lived there since 1954. And I lived through a previous development when I was a child, the open area back there had a couple of creeks running through it and it was an ideal paradise for children to grow up in. Hiking, biking, running, climbing, swinging, everything that a normal child should do. These hills also provided these type of recreational opportunities and there's a lot of children around the neighborhood who I'd love to see be able to have the same kind of wonderful childhood that I had, with access to the hill. And yes, I do get fairly (inaudible) once more in here.

71-48

No one's mentioned the cell phone tower up on the hill. And this development wants to put someone's bedroom right next to these towers. If you go up on the hill you'll see a sticker on the sign saying, danger, stay back, radiation hazard. You can go to Google Earth, to any -- just put in cell phone tower radiation, you get a lot of links showing studies proving four times the cancer risks of people within a thousand feet of these towers, they're talking about putting a bedroom less than a

71-49



1 hundred feet away.

2 Who's going to want to have their children
3 grow up next to microwave radiation flooding their
4 homes? Yet that's the proposal here, unbelievable.
5 The 25-home proposal is just outrageous and
6 completely overblown, I can't believe anyone would
7 propose it or anyone could think it would be
8 (inaudible).

9 The conservation areas that they propose
10 are really ridiculous. It's a very, very steep
11 grade, basically you might call it a dead zone.
12 Nobody would play on it, hiked on it, or anything.
13 It hasn't changed since it was graded 50-something
14 years ago, that's what they call conservation area.

15 Yet there are animal sites, nesting on the
16 bare side of the shelter, we have 50-year-old
17 trees, brush growing in there and it is -- should
18 most definitely be preserved. There's no mention
19 of any -- they just want to cut out all those
20 trees. There is a spot on the top of the hill
21 where perhaps a few homes could be and wouldn't
22 affect the area or really much of the other
23 surrounding area. That's the best I could offer
24 the developer was a few homes on the more level top
25 at least a hundred feet away from us, if that

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1 was -- (inaudible).

2 And imagine that this was in your
3 backyard, how you'd feel.

4 My mother's 93 years old, she's been
5 living here a couple more years than I have. And I
6 have a daughter who is 17 and she loves the hill.
7 We're very outdoors people and because I could open
8 my back door and run on this hill. I've been on it
9 thousands of times, watching the sunset, watching
10 the fog roll in. You can see from Mount Tamalpais
11 to Mount Hamilton from this hill. I'd love to see
12 it be preserved as an open space.

13 Thank you.

14 MR. RANKEN: Thank you for your comments,
15 I appreciate that.

16 Ted Mellasco is next followed by
17 Jane Young.

18 MR. MELLASCO: Hi, I'm Ted Mellasco, my
19 wife and I have lived at 1597 Ascension for 38
20 years and we have experienced landslides in this
21 area, everybody knows about it. So I won't say
22 that.

23 But the fact the day we moved into that
24 house, Whitecliff Homes, the developer of our
25 neighborhood was working on a slide above me, to

71-52

71-53

the right of the house. And it's an ongoing problem and it will be an ongoing problem forever.

I know the current developer says there's new and improved methods to prevent future landslides, but that was the same thing that was said about the Starlite project, which had a major slide, not too long after it was finished.

Also, Ascension Drive has concrete drainage ditches that would be below the project, and the -- the ditches are to prevent flooding in the backyards on this street of Ascension Drive as it goes down the hill. And I see nothing about preventing the debris, dust, dirt, from getting into the ditches and flooding our backyard, which through natural causes actually has happened twice, and because I'm at the bottom of the hill, I get the -- the brunt of the problem.

The -- as far as, you know, wildlife goes there's a ton of them there. In our backyard we have -- we have a hill that's not fenced and in our backyard we have deer grazing, eating -- eating our plants, et cetera, at least four to five times a week we will see them back there. They -- they come from the left, go to the right, this project's going to cut off that area from them, I don't see

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1 how they could get to where they now occupy.

2 But by and large, I'm just against the
3 whole project, to be honest.

4 Than you.

5 MR. RANKEN: Thank you very much.

6 Jane Young is next followed by
7 Sean Kennedy.

8 MS. YOUNG: Good morning. Basically I'd
9 like to express a concern with how the development
10 would be comprising our health, and the long-term
11 effects that it could cause our health.

12 I am not sure if you're aware that there
13 is an assisted living house that's two blocks away
14 from this development. And they have patients with
15 compromised health, and I believe all this dust and
16 environmental negative would compromise the
17 patients' health, so this is pretty close. In
18 fact, it's downhill so I would imagine all the
19 dust, and whatever is in the dirt would be -- and
20 they're outside most of the day. My daughter lives
21 next door to them on Starlite and she could hear
22 them when they exercise and they're out there, in
23 the sun. You know, doing -- just sitting in the
24 backyard, so they will be most exposed, because
25 they're there in the backyard in that house,

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exposed outside.

I'm not sure if they're -- they're aware of what's going on with this building, again, it's only two blocks away.

Also, I'd love to mention that I have a lot of elderly neighbors who live there and they are -- so it will compromise their health. I moved in 20-plus years ago, and I had to deal with Buena Vista, which is only a half a block from us. The Buena Vista street that was being (inaudible) to a point to accommodate homes. And 20 years, you know, or 15 years, I've noticed and talked to my neighbors, many have developed cancer. We don't know whether -- why was -- where it came from. But also many dogs and cats in the neighborhood have developed cancer. We're only a half a block away from the development 20 years ago so this may indicate there is prolonged illness, and if anybody has had a dear family member going through cancer, you would not want to go through this, you know.

Think of this, this is your family that's going to be exposed to this, and you don't know immediately that they will be ill, but down the line, 10, 15 years ago, they developed this illness, and their lives are shortened, and we -- I

71-56



71-56

lost a son-in-law to cancer, and he's very young.
We're not just talking about elderly compromised
people, we're talking about young people too, and
our pets, we treat them like family. I had two,
three dogs who died of cancer, I'm only a half a
block away from this development 20 years ago and
we fought, but we -- the -- we couldn't do anything
in the path. But I would like to really beg for
your consideration about the neighborhood's health
here.

There should be a study done for the
people around that Buena Vista area. I ask the
County Health Department when I noticed that people
were ill --

MR. RANKEN: Please.

MS. YOUNG: -- and if they would do a
study, they should do a study of what happened with
Buena Vista Boulevard. This is right on Parrott
Drive, not to move too far from this next
development.

So thank you for your time.

MR. RANKEN: Thank you very much.

MS. YOUNG: Please consider my thoughts.

MR. RANKEN: We certainly will, we do
appreciate the effort, thank you.

Sean Kennedy is actually our final speaker so I will issue a last call now, if there is anyone who hasn't spoken, I know there's -- that there are a number of people here who have not spoken yet, you are more than welcome to speak, that's what we're here for. So if you would like to speak, there are some -- some of these orange cards outside the front door, please feel free to get them, take one and submit it to Rosario here.

Mr. Kennedy.

MR. KENNEDY: Thank you.

Good morning, commissioners, my name is Sean Kennedy, I live at 1745 Los Altos Drive. I'm the father of three young boys, 5, 3, and 1, had I known that this microphone was such a great toy I wouldn't have brought my youngest in to play with it, but unfortunately he's at school now.

71-57

We're concerned about the health of our family. They're always out in the neighborhood, in the backyard. I'm sorry.

We're just concerned that -- that they're not going to be developing properly and this project will -- will cause them problems with their health.

We're also concerned about additional

71-58

1 traffic, once the project is complete through our
 2 neighborhood, as there are children out riding
 3 bikes that are in the street. We like the very
 4 calm street that we have today, and we're concerned
 5 that it will become much more heavy with traffic.

71-58

6 In addition, there's also a project that
 7 is going on currently between Ascension and Crystal
 8 Springs Road to build a new bypass tunnel for the
 9 public water system, and that project, we were not
 10 very happy about that either, but they've been very
 11 open and done a lot of things to address the
 12 trucks, the dust. They've ensured that they put
 13 improved particulate filters on the trucks, they
 14 hose them down before leaving the site, and it just
 15 seems like that project is much more well organized
 16 and concerned about our health.

71-59

17 We are enduring it, we're not happy but,
 18 you know, we understand that it's for the greater
 19 good. However, this project seems to be for the
 20 good of the developers, not for the residents, and
 21 we're opposed to it.

22 Thank you.

23 MR. RANKEN: Thank you, Mr. Kennedy.

24 Cary Wiest is next followed by
 25 Azin Massoudi.

MR. WIEST: Good morning,

President Ranken, commissioners. My name is Cary Wiest and I have been a real estate appraiser for 25 years. And I've done quite a bit of appraising in the area that we're talking about. And for the last 15 years I've had to take pictures of this land -- this area and the landslide instability and had to disclose that to potential lenders or surrounding homes. While I think that some development can occur on this site, I've also used this property in recent years as a land sale, which the property closed in 2000, the total of 14 acres, for \$850,000. The County's own classification for this area is described as wasteland. Not only am I talking to people behind me, but I'm also talking for the people that will be owning these homes in the future.

Based on the way that the DIR describes that they're going to be donating or including some of these areas not touched public area and as -- was earlier mentioned, that they're not going to touch this area. Well, as far as the development's concerned, I have a responsibility as an appraiser disclosing any instability in the surrounding area to which I already do. Which, as you've heard, two

71-60

landslides in each direction, numerous amounts of
addendums just to describe these landslide areas
have no current effect to these properties that I'm
looking in, okay?

But now that we have a development that's
going to occur, whatever magnitude it is, on this
property, I still have a responsibility to disclose
any instability on this slide area. While we're
developing roughly a 14, 15-acre parcel, by not
touching this area, still means I have to disclose
it, which means that these people may be paying
more for their homes, they may not be getting
loans, the people that are surrounding that
property, would it be destabilizing and deluding
this acreage without touching that corner, would
always lead a lender to be concerned that they may
be assuming some risk of homes developed above a
slide area, as we've all been familiar.

So, as an appraiser, I am asking the board
here to really consider once this site is touched,
whatever, one lot, two lots, five lots, 24 lots,
that they do correct all the problems that exist on
this site, so that the surrounding neighbors can
be -- rest assured that nothing hopefully will
happen in the future.

71-60

1 So thank you for your time this morning.

2 MR. RANKEN: Thank you, Mr. Wiest.

71-60

3 Azin Massoudi is next. Again, this is the
4 final speaker, once again, last call for anyone
5 else speaking.

6 MS. MASSOUDI: Good morning,
7 commissioners. I'm going to make this very short.
8 I'm actually here on behalf of my parents but I'm
9 also one of those kids that can't seem to move away
10 even though I have a place in the city.

71-61

11 The reason why we're here is we live on
12 1450 Bel Aire Road and our home is directly across
13 from this hill. And basically we're very concerned
14 about the smog and pollution, my mom has a heart
15 condition as well as a lung condition, this is
16 going to impact her health quite a bit. Also,
17 traffic is a complete mess right now, actually two
18 months ago we had a student -- CSM student going to
19 class probably texting and ran into our neighbor's
20 fence, so it's just going to cause even more
21 problems.

71-62

22 As well as the traffic and the pedestrian
23 safety, we just hope that we can keep the natural
24 beauty to remain the same, so we hope that you take
25 all of these into consideration.

71-63

Thank you.

MR. RANKEN: Thank you, Ms. Massoudi.

Sam Naifesh.

MR. NAIFESH: Mr. Chairman, thank you very much, I'm Highlands community association, I'm Sam Naifesh, and some of the visuals that you got showed, I believe, that -- that our community will be directly affected by the -- what was proposed and what is also not yet proposed but will have to be disclosed at some point in this proposal that's before you. And we feel that -- that for all the reasons you've heard, you'd support our neighboring communities in their concerns about this. We support the revision and recirculation of the DEIR in accordance with the information being submitted to you, that it sorely needs. And there's some serious exclusions of information for you, particularly, you know about the construction standard being outside the whole Bay Area and also about the particulars and dust that are going to be kicked up. And what you do know and also dust that you don't know yet. The fact is that you've already heard, the model that was used is not even been evaluated by experts.

So we have a lot of concern, when the laws

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of nature catch up with the laws we have on our books, then you can exceed it, so we do hope that you will give this full attention and decide today to have a revision and recirculation.

Thank you very much.

MR. RANKEN: Thank you very much.

Wen Zhong is the next speaker, the final speaker.

MS. ZHONG: Hello, my name is Wen Zhong, I live at 1766 Los Altos Drive.

I want to express our concern of how it affects our young children. We've only been here since the end of last year, last November, so we're very new in the community. We don't know much of the history but the reason we been here is because we want to start a family. I have a three year old and there are 20 kids on our block, Los Altos Drive, and we love the fact he's going to be able to play in the neighborhood. And I still -- we want him to play in the neighborhood. We don't want him to stay in the house watch TV, and we try to promote kids should get out. And right now he rides his tricycle around the neighborhood and we love for him to be able to have the freedom to do that.

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71-65

71-65

1 So we are very concerned with the problem
2 will have air quality, we'll have to keep him in
3 the house, and the trucks, you know, transportation
4 (inaudible) there are other health potential
5 problem (inaudible) neighborhood. So (inaudible).

6 Thank you.

7 MR. RANKEN: Thank you very much,
8 Ms. Zhong.

9 Those are all the speakers, I'd like to
10 make a motion to close by the board.

11 So moved.

12 UNIDENTIFIED MALE: I'll second.

13 MR. RANKEN: We have a motion to second on
14 the floor.

15 UNIDENTIFIED FEMALE: Can I just ask one
16 question? By closing this public hearing, does
17 that -- that doesn't prevent people from submitting
18 written comments until the deadline but does that
19 preclude the possibility of asking staff about the
20 request for a local meeting?

21 MR. RANKEN: Scott, on that.

22 UNIDENTIFIED MALE: I'm sorry, if I
23 understand the question, it would be because of the
24 public hearing, it would preclude the Commissioner
25 from asking staff about the possibility of a

1 committee meeting.

2 UNIDENTIFIED FEMALE: Yes, one of the
3 members of the public had asked about whether it
4 was possible to have a local meeting and I didn't
5 want to vote on this if that would then make it
6 official that we're finished taking oral comments
7 from the public.

8 UNIDENTIFIED MALE: I -- I don't think
9 that doing that would -- would, in fact, stop the
10 commission from taking comments on the project. I
11 think, again, of course the comment period ends --

12 UNIDENTIFIED FEMALE: On the EIR.

13 UNIDENTIFIED MALE: On the EIR about 5:00
14 this afternoon, if I understood it correctly.

15 MR. RANKEN: Very well, thank you for that
16 clarification and thank you for answering my
17 question.

18 UNIDENTIFIED MALE: There's a motion on
19 the floor to close the public hearing, all those in
20 favor?

21 THE COMMITTEE: Aye.

22 UNIDENTIFIED MALE: All those opposed?
23 Motion carries 4 to zero.

24 Public hearing is closed.

25 I wanted to say to all of you that came,

1 so this is -- again, this is an integral part of
 2 the process, your input to us, your comments, is
 3 extremely important to this whole development
 4 process, the approval process, especially on a
 5 weekday, I want to thank all of you very much. I
 6 know a lot of you have businesses to run, jobs, job
 7 responsibilities, and children, hopefully our
 8 future speakers.

9 And we appreciate that very much. And to
 10 those people who did not come here today but signed
 11 the petition as well, you -- if you could assure
 12 them their voices will be heard as well because we
 13 do have a number of many signatures that were
 14 submitted by petition, we appreciate that as well.
 15 Again, all the concerns you raised will definitely
 16 be looked at and continued to be looked at. And so
 17 we'll get there.

18 So thank you very much for your time
 19 coming here, and staff could clarify the timetable
 20 from this point on when we could expect -- expect
 21 further -- further action on this.

22 UNIDENTIFIED MALE: I want it to be known,
 23 I sent a letter to the planning commission, but I
 24 don't know whether you people get a copy of that or
 25 not.

1 MR. RANKEN: Yes, they did.

2 UNIDENTIFIED FEMALE: Yes.

3 UNIDENTIFIED MALE: They got a copy.

4 Commissioner Ranken, as I was closing in
5 my report we're anticipating from this point
6 forward looking and reviewing all of the input that
7 has been received, both in written form as well as
8 what's been provided today, so in conjunction with
9 our environmental consultant, we're anticipating
10 the availability of a final EIR if we go forward
11 with that sometime in November. Again, at close of
12 today we'll have a better idea and understanding
13 when we can narrow in on that and how much time
14 it's going to take. But we are anticipating a
15 December 9th hearing in which we'll return back
16 with the final EIR for your consideration for
17 certification as well as approval of the
18 subdivision as a whole and all the components that
19 are involved with that, so...

20 MR. RANKEN: Okay, thank you.

21 I have some questions here if you can stay
22 up there for a moment. Question from the
23 commission based on the public input already, the
24 staff, anything?

25 UNIDENTIFIED MALE: I guess the question

1 is, when the final is available, is that going to
2 be recirculated?

3 UNIDENTIFIED MALE: Commissioner Baumberg
4 (sic), recirculated actually does have a specific
5 legal meaning, I'm not sure that's the way you're
6 using the term. I mean, obviously the final will
7 be available to the public, it will be circulated
8 in the sense the public can see it. Recirculation,
9 I think in the way the term is used it means
10 something different, it would be recirculation of a
11 draft EIR if there were significant additional
12 information or mitigations that were being
13 recommended on the basis of comments received. I
14 don't know if that was your question or --

15 UNIDENTIFIED MALE: So if -- if the
16 revisions or the additions are significant, based
17 on comments, then we would recirculate --
18 recirculate it as a draft before it went final?

19 UNIDENTIFIED MALE: Yes.

20 UNIDENTIFIED MALE: I see. But when is
21 that decision going to be made?

22 UNIDENTIFIED MALE: It would be made on
23 the basis of, for example, our work with
24 consultants in considering the comments received,
25 both today and in writing.

1 UNIDENTIFIED MALE: Is it within our
2 purview to recommend that procedure?

3 UNIDENTIFIED MALE: It would be within
4 your purview to recommend it. Again, I think that
5 would be an administrative decision that would be
6 made on the basis of analysis of the threshold
7 significance that we're looking at, after having
8 considered the comments.

9 UNIDENTIFIED MALE: All I can suggest is
10 that from my point of view I think it would be in
11 the applicant's best interests.

12 MS. SLOCUM: I would just say that what
13 I'm hearing from my perspective is a question I
14 have too, so you're saying the distinction is that,
15 you know, if it's recirculated as a draft EIR, that
16 all of the information would be laid forth fully
17 for people to have another opportunity to comment.

18 UNIDENTIFIED MALE: That's exactly right.
19 The idea is it's a matter of administrative process
20 at that juncture, folks can have the opportunity to
21 look at the additional information, additional
22 mitigation, et cetera. And you can reopen in
23 effect the comment period.

24 I submit that we haven't had the
25 opportunity yet to resubmit comments or to consider

1 or refer consultants or staff to consider fully the
2 comments and the information that's currently in
3 the documents as against those comments.

4 MS. SLOCUM: Finally, I presume that there
5 are set standards that are used in determining
6 whether the nature of the comments and the type of
7 deficiencies that may have been identified would
8 then rise to the level of requiring additional
9 study and, therefore, causing the need for a draft
10 EIR to be recirculated. And if you could perhaps
11 comment a little bit on I guess it's -- it's
12 certain -- you can't make a definitive
13 determination today, but we could certainly say
14 something about the standard that would be used.

15 UNIDENTIFIED MALE: Sure. Commissioner.
16 Section 15088.5 of the CEQA guidelines. Is the --
17 the guidance, it's not the guidance, sort of the
18 regulatory authority we rely on in determining
19 whether or not recirculation's required. And what
20 we talk about there is the notion of whether or not
21 there's any "significant new information" that's
22 being added to the EIR after public notice is given
23 of its availability, but before certification. It
24 includes changes in the project or environmental
25 setting, as well as additional data or other

1 information. And then there are some discussion
2 within that section, what isn't necessarily
3 significant.

4 And to quote, "New information added to an
5 EIR is not significant unless the EIR is changed in
6 a way that deprives the public of a meaningful
7 opportunity to comment on the substantial adverse
8 environmental effect, or a feasible way to mitigate
9 or avoid an effect."

10 That would be a project's component sent
11 to the client to implement, and that's an example.
12 So -- so that's -- I think it would be difficult on
13 the fly here today to sort of apply that somewhat
14 (inaudible).

15 But that's what we're looking at.

16 UNIDENTIFIED MALE: Perhaps you could
17 comment on if we don't go that route, and we have a
18 December 9th hearing on a final EIR and we at that
19 point still don't like what we see, then we -- it's
20 just a denial?

21 UNIDENTIFIED MALE: It could be
22 declination to certify, at that juncture it could
23 be -- I mean, the guidance we could be getting at
24 that juncture is that we need more with respect to
25 acts, and the matter could be taken up then if, in

1 fact, that would be the position the commission
2 reached.

3 MS. SLOCUM: There -- there were a number
4 of things that were brought up today that have
5 raised significant concerns in my mind. And that
6 may rise, in my mind, might appear to rise to the
7 level of significant new information. But
8 obviously that's a staff determination. I guess
9 one -- one thing that came up was I -- and forgive
10 me because I'm kind of newer to planning
11 commissioner-dum than the rest of you all, but the
12 alternatives that are studied, you know, quite
13 frankly sort of the discussions about the different
14 incarnations that might -- prior approvals might
15 have taken or prior statements to the community
16 might have been about smaller projects, one of the
17 concerns that's here about the stamp -- the
18 alternatives seemed valid to me was that it's hard
19 to understand them if they don't have certain
20 quantified information.

21 So I -- I don't -- I don't know how much
22 detail is required to be in the descriptions of the
23 alternatives and their impacts in order to allow a
24 valid comparison.

25 UNIDENTIFIED MALE: It's your turn.

1 UNIDENTIFIED MALE: It sounds like a
2 statement, I wasn't sure if there was a question in
3 there.

4 MS. SLOCUM: I would like to understand
5 better what is the require -- I mean, is -- is this
6 part of what staff will review is that -- is the
7 required level of detail included in the
8 alternatives to allow a comparison, is that one of
9 the things that can be found to be a cause for
10 recirculation?

11 UNIDENTIFIED MALE: If I may,
12 Commissioner Slocum, I'd like to have our
13 environmental consultant maybe answer your
14 question.

15 MS. SLOCUM: Great.

16 MR. BRADLEY: Good afternoon, hi, I'm
17 Jeff Bradley, with Chris Joseph & Associates, the
18 EIR preparers. There are several questions raised
19 about recirculation of the draft environmental
20 impact report and deputy county counsel accurately
21 stated that that trigger, if you will, threshold is
22 significant new information, it is new significant
23 environmental impact that wasn't previously
24 analyzed in the EIR, a new alternative, as proposed
25 as a part of the process but it's not -- the

1 applicant is unwilling to implement such an
 2 alternative, same goes for mitigation measure.
 3 Mitigation measures that are recommended by the
 4 public or other agencies that the applicant refuses
 5 to implement, that constitutes new significant
 6 information.

7 I wanted to clarify your question with
 8 respect to the final EIR. If we were ready to go
 9 to the final EIR at this stage it needs to be
 10 circulated but not recirculated ten days prior to
 11 approval of the project -- consideration of the
 12 project approval. And so that -- particularly the
 13 commenting agencies, such as Caltrans and
 14 Department of Fish and Game, for example.

15 Your question about, Commissioner Slocum,
 16 alternatives.

17 The analysis -- the California
 18 Environmental Quality Act and the CEQA guidelines
 19 that implement the act state that the analysis of
 20 alternatives do not need to be at the same level of
 21 detail as the analysis for the project. Many EIRs
 22 don't even have exhibits, for example, that
 23 illustrate an alternative.

24 The objective of those alternatives is to
 25 reduce any significant environmental impacts of the

1 alternative -- excuse me, project, while still
2 meeting the basic objectives of the project.

3 So we -- I personally feel that -- that we
4 have met that duty with respect to minimizing or
5 avoiding significant impacts with the various
6 alternatives in the EIR. There's nothing in the
7 CEQA guidelines that say you shall quantify,
8 doesn't mean you don't have to, but shall quantify
9 all impacts, be it grading amounts, but qualitative
10 analysis is adequate.

11 But, if you ask for another alternative to
12 be analyzed, I think if my interpretation, deputy
13 county counsel could clarify if he disagrees, that
14 if a new alternative is proposed after the EIR
15 public review period and the applicant refuses to
16 implement that, that constitutes new significant
17 information.

18 Recirculation doesn't necessarily mean the
19 entire environmental impact report, it may just
20 mean one section. If the air -- if the County
21 feels that a health risk assessment shall be
22 prepared for this project, and that which the Bay
23 Area Air Quality Management District suggested
24 wasn't required at the time, or still does, they
25 are in the process, however, of updating their CEQA

1 guidelines right now for the preparation of air
 2 quality analyses for projects. Those guidelines
 3 aren't adopted yet, however, we rely on the current
 4 guidelines. But I guess I was going to get into
 5 your point about -- well, I'm not sure if I've
 6 answered your question, is that satisfactory?

7 MS. SLOCUM: That's very helpful. Let me
 8 just understand the timing a little bit better.

9 So if there were something like an
 10 alternative that might not exactly be described in
 11 here but was raised -- might not have been called
 12 an alternative by the person raising it, but, you
 13 know, a mitigation that's desired, I heard a number
 14 of mitigations that sounded kind of reasonable to
 15 me, does the applicant have to actually refuse that
 16 during this period of time? Or does -- can that
 17 occur -- I just don't want to lose the chance to
 18 trigger the requirement that the applicants say
 19 whether they are or aren't willing to do it in time
 20 to decide whether there has to be a new
 21 recirculated draft.

22 Do you understand the nature of my
 23 question?

24 MR. BRADLEY: I think so, if I may answer
 25 that by saying, you can add mitigations up until

1 the final project approval consideration,
 2 continuing above and beyond what's currently with
 3 the environmental impact report, even above and
 4 beyond what's in the final environmental impact
 5 report. So if you feel that there's not enough
 6 measures to suppress dust or traffic safety, for
 7 example, if you think you have other ideas that go
 8 beyond the EIR, you can by all means recommend
 9 those as part -- conditions of approval of the
 10 project.

11 I may -- should add, I think it is
 12 premature to determine if recirculation is required
 13 at this time. As staff indicated, the public
 14 period ends today at 5:00 and I think it would be
 15 prudent to allow staff to consider those comments
 16 and weigh them against the threshold as deputy
 17 county counsel mentioned, and whether or not these
 18 comments raise to new significant environmental
 19 impacts or if the County wants to go a step further
 20 and have more detailed air quality monitoring done,
 21 for example. That's an option.

22 MS. SLOCUM: You mentioned that there were
 23 new regulations that were being developed at this
 24 time by the Bay Area Air Quality Management
 25 District, do we know when those -- or do we know

1 enough about them to know that this isn't best
2 practices, that you might want to just go ahead and
3 use here, even if they're not strictly legally
4 required to?

5 MR. BRADLEY: I'm afraid I don't know the
6 date of the deadline or when those new guidelines
7 are going to be in effect. One of the key -- or
8 not the only key of the aspect update is to address
9 greenhouse gas emissions, but they also are looking
10 at health risk assessments and how they're being
11 done and with respect to cumulative contributions
12 of a given project and whether or not a freeway
13 next door to a proposed subdivision, for example,
14 should be considered in the overall health risk
15 assessment.

16 I'm afraid I don't have an air quality
17 person here today, but that information is readily
18 available on the Bay Area Air Quality Management
19 District's website with respect to the dates and
20 the content of the proposed revisions.

21 MS. SLOCUM: All right, thank you.

22 MR. RANKEN: Go ahead.

23 UNIDENTIFIED MALE: So when the County
24 does make their decision on what way they're going
25 to go, do we let the world know? Is it just

(inaudible).

UNIDENTIFIED MALE: So if, for example, there was a decision made to recirculate, that would obviously be a matter of public record, we would let the world know about that. If there was an (inaudible) that we could adequately address all the public comment, that would be part and parcel of the administrative record and available in that -- in that manner.

MR. RANKEN: I have a question about -- I think for Ms. Shu, if I could. I don't want to -- it's not our place to get too much on the specifics of the comments that were made, but there was some concern expressed by the geotechnical stability issues, from the public works perspective.

Ms. Shu, can you make comments about how those will be addressed, is that appropriate at this time.

MS. SHU: Probably not. The geotech reports we would be asking for would be looking at site specific information. So we would be probably in this next stage looking for reports that -- that address some of these concerns about underground springs, about the sandstone, about the surrounding instability. So we'd be looking at a geotechnical

1 report that then addresses all of those issues.

2 MR. RANKEN: Thank you very much.

3 Any other questions? Ms. Slocum.

4 MS. SLOCUM: Yes, if I might.

5 I wanted to go just to the point of the
6 woman that said that someone who owns this property
7 had cut down trees and I was very concerned to hear
8 that. I don't -- I mean, obviously, you know,
9 that's -- that's information and I guess if there's
10 a violation of some sort that's going on here, I'm
11 hopeful that the County appropriate authorities
12 will investigate this and make sure, and I -- what?

13 UNIDENTIFIED MALE: I could respond to
14 that.

15 MR. RANKEN: I think the issue now is
16 we're taking input on the -- on the -- I don't want
17 to get into very important but perhaps not germane
18 issues at this point.

19 MS. SLOCUM: Well, I think to the people
20 who might be affected by this, the tree is kind of
21 germane.

22 MR. RANKEN: It's very germane. I think
23 that the appropriate angle -- actually, I should
24 let counsel address that, what's the appropriate
25 way to address this issue?

1 UNIDENTIFIED MALE: And I can defer to
 2 Mr. Monowitz, who -- or Ms. Shu on this, it sounds
 3 like a code compliance issue, it could be -- could
 4 be processed through those channels if somebody
 5 wants to make a call to the -- to the code
 6 compliance, if we have that information, in fact,
 7 now, you know, it could be dealt with in that
 8 manner.

9 And I -- I could assure them if the
 10 process is appropriately initiated we'll -- we'll
 11 move diligently on.

12 MS. SLOCUM: Could I just ask one,
 13 because -- so -- so is the applicant allowed to --
 14 to cut down trees at this time, given the status of
 15 this project, as not approved yet?

16 MR. RANKEN: It would depend on the type
 17 of tree that is being cut and the nature of the
 18 work that's being done. So we need to evaluate
 19 what exactly has occurred, whether or not permits
 20 were required.

21 MS. SLOCUM: I see.

22 MR. RANKEN: At this point there's been no
 23 permit authorized for tree removal, when that tree
 24 removal triggers a tree removal permit, we don't
 25 know whether or not that does.

1 MS. SLOCUM: I see.

2 And then finally, I wanted to go back to
3 the question Ms. Ozanne raised from the board, to
4 request that at some point during this process,
5 whether there is recirculation or not, that there
6 be -- that staff investigate the possibility of
7 maybe a local meeting or at a more convenient time
8 in the neighborhood nearby.

9 I know that that presents challenges,
10 significant challenges when it's for an actual
11 comment on EIR, but in terms of just public input,
12 in my opinion, I think it's a good idea to give
13 people an opportunity to understand the project and
14 to have a chance to -- to participate. Although if
15 it's not recirculated, then it's my understanding
16 that today is it, right? Close of business today
17 is the end of the actual formal comment period.

18 So could staff comment on what type of
19 meeting might be -- or what -- what process they
20 would undergo to consider the possibility of -- of
21 a community meeting at some point, if it's
22 possible.

23 UNIDENTIFIED MALE: Well, we would
24 certainly take that under consideration, but we
25 would -- in addition to evaluating all the comments

1 and everything received, we -- you know, as staff
 2 we must reconvene with both the applicant, our EIR
 3 consultant and other crucial staff members who
 4 would be involved in putting together a meeting
 5 like this together, go over schedules, that kind of
 6 thing, see if that still works with an amendable
 7 timetable to the applicant.

8 So I can't necessarily address that but I
 9 do assure you it would be a conversation that we
 10 would have with the director and all the other key
 11 individuals within the next couple weeks.

12 UNIDENTIFIED MALE: And,
 13 Commissioner Slocum, I know at the end of the day
 14 the project is going to be considered by the
 15 commission at some junction, perhaps that would be
 16 the time in which we could meet in the community.
 17 I mean, there's obviously going to be a public
 18 comment component to that meeting, in any event.
 19 And I think December is the latest that would --
 20 that was what we had in mind at this juncture.

21 UNIDENTIFIED MALE: Right, that's what we
 22 had anticipated as a tentative meeting.

23 UNIDENTIFIED MALE: So I mean, it's at
 24 least a possible, if the direction or the pleasure
 25 of the commission were to try to coordinate that,

1 perhaps that would be a possibility.

2 UNIDENTIFIED MALE: Sounds like a good
3 idea to me.

4 UNIDENTIFIED MALE: Certainly. But once
5 again, when we did that at the Highlands there was
6 an issue of what project is deemed not worthy of
7 that.

8 MR. RANKEN: That issue's come up in the
9 past. Are there other standards or guidelines that
10 we use when we determine whether or not to have one
11 of these community meetings versus, I mean, people
12 come here? Is there some precedent that we can go
13 by?

14 UNIDENTIFIED MALE: Our regulations do
15 provide standards for preapplication conferences
16 that are done at the neighborhood level, but we do
17 not have any established standards for conducting
18 follow-up community meetings after we've completed
19 that initial preapplication. So it's essentially
20 at the discretion of the staff and the planning
21 commission to determine when such meetings are
22 needed.

23 MR. RANKEN: Is this the kind of thing we
24 could have perhaps staff take a look at and
25 evaluate the next time we do have a full

1 commission? Mr. Wong will be back with us and we
2 can make a determination at that point? Is that an
3 appropriate way to go?

4 UNIDENTIFIED MALE: Yes, and at that
5 juncture as well, the director will be back and we
6 can again have her perspective as well.

7 MR. RANKEN: Okay. Any further questions
8 to staff and the commission?

9 Okay, that does wrap up this segment.
10 You've heard the timetable, we'll be getting back
11 to you. I want to thank everyone again for their
12 presence here. It's invaluable in the process,
13 thank you.

14 We'll now move on to the administrative
15 items. Let's rewind a little, go back to the
16 minutes.

17 (End of Item 7 on the agenda.)
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REPORTER'S CERTIFICATE

The foregoing transcript is a transcription from an audio recording taken on the above-mentioned date in the within-entitled cause; that said proceedings were held outside the presence of the court reporter and, therefore, this transcript was made by listening to the electronic recording.

I certify that I am not interested in the outcome of the said action, nor connected with, nor related to any of the parties in said action, nor to their respective counsel.

IN WITNESS WHEREOF I have hereunto set my hand this 22nd day of September 2009.

LUCY CARRILLO-GRUBBS, CSR No. 6766

Response to Comment Letter 71
Public HearingResponse 71-1

Regarding the commenter's concern about steep slopes and erosion, refer to Topical Response 2, Landslides and Slope Instability, and to Topical Response 9, Erosion Impacts.

Response 71-2

This comment references neighbors' opinions regarding the proposed project and notes the project would include improvements to existing road areas. Regarding road repairs associated with the proposed project, refer to Response to Comment 62-1. Regarding the project's proposed conservation areas and erosion impacts, refer to page III-25 of Section III, Project Description, of the DEIR and Topical Response 9, Erosion Impacts, respectively. Also, refer to Response to Comment 63-2.

Page III-25 of the DEIR states that a 0.45-acre proposed undisturbed and protected area would be included within the southwest corner of the project site. This area would be maintained through the implementation of a conservation easement. As part of the proposed project, the existing on-site drainage improvements within this area will be removed. This area would be the responsibility of the HOA with regards to maintenance. A formal agreement would be determined at a later date. Additionally, the Lot "A" on-site common areas or conservation areas would be located within the southern and western portions of the project site. These Lot "A" areas would constitute approximately 4.12 acres (179,519 sf), which represents approximately 31 percent of the project site. The landscaping of the conservation areas is not determined at this time; however, the intent is to utilize drought-tolerant native vegetation in order to restore the area to a natural habitat, including a provision for a nature trail. These areas will be open to the subdivision residents and the general public.

While the existing erosional feature at the site's corner of Bel Aire Road and Ascension Drive would remain within the proposed conservation area, a new storm drain system would be installed on the site to ensure that runoff is adequately conveyed off-site to existing storm drains. Runoff that currently flows over land, uncontrolled, at the site would be redirected into the proposed drainage system, thereby reducing the potential for erosion over the existing condition. Adequate implementation and monitoring of the mitigation measures included in DEIR would ensure that erosion impacts would be less than significant.

Response 71-3

Regarding cumulative impacts related to the Crystal Springs bypass tunnel, refer to Topical Response 7, Construction Traffic Impacts and Response to Comment 28-7.

Response 71-4

The commenter references previous landslides that have occurred in the project area. Refer to Topical Response 2, Landslides and Slope Instability.

Response 71-5

The commenter reiterates specific details of the project, including the project's size, average slope, and the amount and duration of grading and construction, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 71-6

Section VI, Alternatives to the Proposed Project, of the DEIR provides a sufficient level of detail to allow the public, agencies, and decision makers to make an informed decision regarding how the alternatives to the proposed project could reduce or avoid some of the project's significant environmental impacts. Section VI of the DEIR provides a general description of each alternative, exhibits that illustrate the location and number of residential lots associated with each alternative, a comparison of the impacts of each alternative to the project's impacts, as well as a table that summarizes the impacts comparison (see Table VI-1, Alternatives Comparison, on pages VI-35 through VI-37 of the DEIR). While the specific grading quantities and durations, air pollution quantities, construction noise, health impacts, traffic impacts, project duration and visual impacts of each alternative are not provided in the DEIR, this is not a requirement of CEQA, and clearly the alternatives analysis of the DEIR provides a sufficient level of detail for one to conclude that all of the project alternatives would require less grading than the proposed project. Also, each of the alternatives analyzed in the DEIR involve fewer homes roads compared to the proposed project. The reduction in grading associated with each alternative reduces the project soil haul truck trips as well as the air quality, noise and traffic impacts associated with soil haul truck trips.

If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed.” (CEQA Guidelines Section 15126.6[d])

Refer to Response 22-1 and Topical Response 5, Alternatives.

Response 71-7

It is assumed that this comment is in reference to the analysis contained in Section IV.B, Air Quality, of the DEIR, pertaining to PM₁₀ and nitrous oxide (NO_x) emissions. This comment reiterates estimations provided in Section IV.B, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 71-8

Regarding grading for each home on the project site, refer to Response to Comment 51-5.

Response 71-9

This comment references an aerial photograph of the project site, the pollution that may be caused from a single off-the-road grader, and the time it may take for the pollution to reach the edge of the project site and surrounding homes. However, the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project. Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction.

Response 71-10

The commenter expresses an opinion regarding the analysis contained in Section IV.B, Air Quality, of the DEIR. Additionally, the comment contains general information on the commenter and expresses concerns regarding the health risks associated with the proposed project.

Section IV.B, Air Quality, of the DEIR provides a sufficient level of detail to allow the public, agencies, and decision makers to make an informed decision regarding how the proposed project may result in significant adverse changes to air quality. Supporting data for this analysis is provided in Appendix D of the DEIR. Both short-term construction emissions occurring from activities such as site grading and haul truck trips, as well as long-term effects related to the ongoing operation of the proposed project are discussed. Section IV.B of the DEIR was prepared in accordance with the most recent version of the Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines. The analysis of Section IV.B of the DEIR focuses on the nature and magnitude of the change in the air quality environment due to implementation of the proposed project. Air pollutant emissions associated with the proposed project would result from operation of the proposed development and from project-related traffic volumes. Construction activities would also generate emissions at the project site and on roadways resulting from construction-related traffic. The net increase in project site emissions generated by these activities and other secondary sources have been quantitatively estimated and compared to thresholds of significance recommended by the BAAQMD.

CEQA Guidelines Sections 15204(a) and 15003 reflect judicial interpretation of CEQA. Reviewers are encouraged to focus on the sufficiency of the environmental document's analysis, mitigation measures, and project alternatives. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. CEQA requires that lead agencies need only respond to significant environmental issues, and do not need to provide all information requested by reviewers, so long as a good faith effort at full disclosure is made in the EIR.

Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction, and Topical Response 6, Construction Phasing and Schedule.

Response 71-11

Regarding fire hazards and emergency access, refer to Response to Comment 20-2.

Response 71-12

Regarding the commenter's concerns about construction noise, refer to Response to Comment 43-15.

Response 71-13

Regarding the commenter's concern about construction and traffic impacts on Parrott Drive, refer to Topical Response 7, Construction Traffic Impacts and to Topical Response 8, Construction and Operational Noise Impacts. Also, refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction.

Response 71-14

Refer to Response to Comment 43-31. Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction. Also, refer to Topical Response 8, Construction and Operational Noise Impacts.

Response 71-15

The DEIR makes a good faith effort at full disclosure of project impacts based on the project description information available at this time. Regarding health risk associated with the project, refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction. Regarding the commenter's recommendation that the DEIR be recirculated, refer to Topical Response 4, Recirculation of the DEIR. Also, refer to Response to Comment 43-31.

Response 71-16

Regarding the comment about the project's conservation area, refer to Topical Response 9, Erosion Impacts. Regarding the commenter's concerns about landslides on the site, refer to Topical Response 2, Landslides and Slope Instability.

Response 71-17

This comment references pollution and the associated cancer risk. Refer to Section IV.B, Air Quality, of the DEIR and Topical Response 1, Air Quality Impacts and Health Risk During Construction.

Response 71-18

This comment is in regards to air pollution and, more specifically, benzene⁶ from diesel trucks. Refer to Section IV.B, Air Quality, of the DEIR and Topical Response 1, Air Quality Impacts and Health Risk During Construction.

Response 71-19

This comment contains general information about the commenter and expresses concerns regarding proximity of the project, project construction, and construction-related truck trips. Refer to Section IV.A, Aesthetics, of the DEIR for an analysis of the project's aesthetics impacts. Refer to Topical Response 6, Construction Phasing and Schedule, Total Response 7, Construction Traffic Impacts, and Topical Response 8, Construction and Operational Noise Impacts, regarding the length of the project's construction phase, traffic impacts during construction, and noise impacts associated with construction and operation of the project, respectively.

Response 71-20

Regarding health risks associated with project grading, refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction. Regarding traffic impacts, refer to Topical Response 7, Construction Traffic Impacts. Regarding the commenter's assertion that the DEIR should be recirculated, refer to Topical Response 4, Recirculation of the DEIR.

Response 71-21

Refer to Topical Response 2, Landslides and Slope Instability regarding the commenter's concerns about landslides on the site. Also, refer to Topical Response 9, Erosion Impacts.

Response 71-22

Comment noted. Inconsistency with a policy may indicate a significant physical impact, but the inconsistency is not itself an impact. The determination that the project is consistent or inconsistent with the goals of the County's Shared Vision 2010 or other County plans and policies is ultimately the decision of the County. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 71-23

Refer to Topical Response 6, Construction Phasing and Schedule, and Topical Response 1, Air Quality Impacts and Health Risk During Construction.

⁶ Comment refers to "benson" (phonetic). The response assumes that the commenter is referring to benzene, a known carcinogen.

Response 71-24

Comment noted. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 71-25

Regarding the commenter's concern about off-site trees being damaged by the project, refer to Response to Comment 27-9.

Response 71-26

This comment incorrectly states that the wildlife study occurred on one day only; refer to Response to Comment 27-2 regarding the number of surveys that were conducted. The comment also expresses concern about a potential pair of breeding owls. The DEIR acknowledges that several non special-status migratory bird and raptor species have potential nest in trees and shrubs on and adjacent to the project site (refer to pages IV.C-14 and IV.C-52 and Table IV.C-3 of the DEIR). Implementation of Mitigation Measure BIO 1-b (refer to page IV.C-52 and 53 of the DEIR), which involves restricting the timing of construction activities or conducting preconstruction nesting bird surveys, and if necessary, establishing nest protection buffers, would reduce such impacts to a less-than-significant level.

Response 71-27

This comment contains a question regarding the process for submitting petitions and comment letters, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 71-28

Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction regarding the commenter's comment about air pollution from soil haul truck trips. Regarding enforcement of mitigation measures, refer to Response to Comment 24-2.

Response 71-29

Regarding project impacts pertaining to storm water and sewer, refer to: Section IV.E, Hydrology and Water Quality and Section IV.J.1, Sewer, respectively. Regarding fire impacts, refer to Section IV.H, Public Services, and Response 20-2 above. Refer to Section IV.A, Aesthetics, regarding lighting and Section IV.I, Transportation/Traffic, regarding potential impacts to roads and traffic.

Regarding provisions for road repair should roadway damage occur as part of the project soil haul exporting, the last bullet under Mitigation Measure TRANS-6 on page IV.I-26 of the DEIR states:

- As a condition of the grading permit required of the project applicant by the County, the applicant shall be responsible for the repair of any damage to roads resulting from the export of soil from the project site. Such repair shall be to the satisfaction of the San Mateo County Department of Public Works.

Response 71-30

This comment expresses concern about the project's impact on common wildlife species that occur in the area. Refer to Response to Comment 8-3. Refer to Section IV.A, Aesthetics, of the DEIR for an analysis of the project's aesthetics impacts. Regarding the duration and noise associated with construction of the project, refer to Topical Response 6, Construction Phasing and Schedule, and Topical Response 8, Construction and Operational Noise Impacts.

Response 71-31

The comment contains general information about the commenter's property and makes reference to underground streams. Regarding project impacts associated with groundwater, refer to Response to Comment 1-2 and Topical Response 2, Landslides and Slope Instability.

Response 71-32

This comment contains general information about the commenter, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. Refer to Topical Response 3, Standards for Responses to Comments and Focus of Review of Commenters. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 71-33

Refer to Section IV.A, Aesthetics, of the DEIR for an analysis of the project's aesthetics impacts. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 71-34

Regarding the commenter's concern about pollution, refer to Section IV.B, Air Quality, of the DEIR and Topical Response 1, Air Quality Impacts and Health Risk During Construction. Refer to Topical Response 6, Construction Phasing and Schedule, regarding grading and the duration of project construction. Refer to Section IV.I, Transportation/Traffic, for an analysis of the project's traffic impacts and to Section IV.J.1, Sewer, for an analysis of the project's impacts related to sewer.

Response 71-35

This comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project. Also, refer to Response to Comment 43-31.

Response 71-36

Refer to Response to Comment 40-1 regarding the commenter's concern about asbestos, and refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction. Regarding the comment that the DEIR should be recirculated, refer to Topical Response 4, Recirculation of the DEIR.

Response 71-37

This comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project. Refer to Topical Response 3, Standards for Responses to Comments and Focus of Review of Commenters.

Response 71-38

The comment identifies existing problems in the project area related to cut-through traffic and littering, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. Impacts resulting from illegal activities (i.e., littering) are outside the scope of CEQA and the DEIR. Refer to Topical Response 3, Standards for Responses to Comments and Focus of Review of Commenters. Regarding dust and construction traffic impacts, refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction, and Topical Response 7, Construction Traffic Impacts. Refer to Section IV.I, Transportation/Traffic, of the DEIR for an analysis of the project's traffic impacts.

Response 71-39

This comment expresses the opinion about the proposed project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. Regarding dust, traffic, and noise associated with project construction, refer to: Topical Response 1, Air Quality Impacts and Health Risk During Construction; Topical Response 7, Construction Traffic Impacts; and Topical Response 8, Construction and Operational Noise Impacts, respectively. Regarding impacts to the hillside and existing sewer system, refer to Section IV.A, Aesthetics, and Section IV.J.1, Sewer, of the DEIR.

The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 71-40

Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction, regarding health impacts and Section IV.A, Aesthetics, of the DEIR for an analysis of the project's aesthetics impacts. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 71-41

This comment expresses the opinion about the proposed project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. Refer to: Topical Response 8, Construction and Operational Noise Impacts, and Topical Response 1, Air Quality Impacts and Health Risk During Construction. Also, refer to Topical Response 7, Construction Traffic Impacts.

Response 71-42

Regarding the commenter's concern about air pollution, refer to Section IV.B, Air Quality of the DEIR and Topical Response 1, Air Quality Impacts and Health Risk During Construction. Regarding project impacts associated with underground water, refer to Response to Comment 1-2 and Topical Response 2, Landslides and Slope Instability. Provided the required mitigation measures listed in Topical Response 2 (also listed on page IV.D-23 of the DEIR) are adequately implemented and monitored, no significant landslide and slope instability impacts to existing homes in the 1500 block of Ascension Drive would occur.

Response 71-43

This comment expresses concerns regarding increased traffic. Refer to Section IV.I, Transportation/Traffic, for an analysis of the project's traffic impacts, and Topical Response 7, Construction Traffic Impacts. The comment also identifies existing problems in the project area related to cut-through traffic.

Regarding provisions for road repair should roadway damage occur as part of the project soil haul exporting, the last bullet under Mitigation Measure TRANS-6 on page IV.I-26 of the DEIR states:

- As a condition of the grading permit required of the project applicant by the County, the applicant shall be responsible for the repair of any damage to roads resulting from the export of soil from the project site. Such repair shall be to the satisfaction of the San Mateo County Department of Public Works.

Response 71-44

Regarding comments about the project creating dust, health hazards, and traffic, refer to: Topical Response 1, Air Quality Impacts and Health Risk During Construction, and Topical Response 7, Construction Traffic Impacts, respectively. Regarding operational traffic impacts, refer to Response to Comment 17-1.

Pages IV.I-25 and IV.I-26 of the DEIR describe the amount of truck trips and associated traffic impacts that would occur during the project's construction phase. These impacts were found to be ***potentially significant*** but could be reduced to less-than-significant levels with the implementation of Mitigation Measure TRANS-6 on page IV.I-26 of the DEIR. Mitigation Measure TRANS-6 includes but is not limited to the following measures to ensure that construction traffic impacts and traffic safety impacts during construction would be less than significant:

- The haul route streets shall be limited to SR 92, West Hillsdale Drive, CSM Drive, Parrott Drive, Laurie Lane, and Bel Aire Road. That would minimize the number of residential streets used by trucks. Trucks shall not utilize Ascension Drive because of the existing traffic level and the steep grade.
- Construction activity shall be limited to the hours of 8:00 AM and 4:30 PM Monday through Friday. No activity or staging shall occur outside these hours.
- To minimize impacts to traffic and public safety, truck traffic for soil export from the project site shall be limited to between the hours of 10:00 AM and 3:00 PM.
- Loaded trucks shall be limited to a maximum speed of 20 mph when operating in residential areas.
- No staging of trucks or construction equipment shall occur within the adjacent residential area at any time.
- Temporary "truck crossing" signs shall be placed in both directions on Bel Aire Road near the site entrance. Flagmen shall be used, as necessary, to control traffic during the arrival and departure of trucks and equipment.
- Construction workers shall be required to park on-site, i.e., no parking on Bel Aire Road or Ascension Drive.

The mitigation measures listed above, in addition to the availability of sidewalks on the opposite sides of Bel Aire Road and Ascension Drive from the project site, would ensure that traffic safety impacts would not be significant. Refer also to Topical Response 7, Construction Traffic Impacts.

Response 71-45

Refer also to Topical Response 7, Construction Traffic Impacts. The truck haul route described in the DEIR (page IV.I-26) was chosen to minimize the number of residential streets used by the trucks, and because of the existing traffic volumes and steep grade on Ascension Drive. However, the commenter's concern regarding the haul route will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 71-46

The first portion of the comment pertaining to the cutting down of trees does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Regarding the comment that there would be a road within 15 feet of the commenter's house, refer to Figure III-12 of the DEIR which illustrates the road layout for the project, and near the project's proposed entrance, the access road is proposed near the backyards of homes along Parrott Drive. Refer to Response to Comment 17-1 regarding operational traffic impacts of the project. Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction. Also, refer to Topical Response 7, Construction Traffic Impacts.

Response 71-47

This comment expresses concern about the project's impacts on several bird species that been observed or have potential to occur on the project site. Refer to Response to Comment 8-3 regarding potential impacts to common wildlife species. The DEIR specifically acknowledges that Coopers Hawk and White-Tailed Kite have potential to nest on-site and does not dispute the fact that other species may be present and therefore could be impacted by the proposed project. Refer to page IV.C-55 of the DEIR regarding the avoidance of impacts to these and other nesting birds that may be present on the project site.

The comment also expresses an opinion that the project site serves as an island of biodiversity. The EIR consultant does not agree with this opinion, as habitats on the project site have been altered by decades of human disturbance from surrounding developments, as evidenced by the incursion of non-native plant species that has affected the plant community structure and composition. The fragmented areas of habitat that remain on the project site would not serve as high quality and diverse habitat that support unique habitat assemblages or a relatively high number of species in comparison to other areas of open space in the vicinity. For example, the Crystal Springs Reservoir area contains significant areas of undeveloped lands protected by the San Francisco Water District that support a mosaic of large and contiguous expanses of oak woodland, open water habitat, wetland complexes, and other important habitats that have been documented to support a suite of sensitive plant and animal species.

Response 71-48

This comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project. Refer to Topical Response 3, Standards for Responses to Comments and Focus of Review of Commenters.

Response 71-49

According to the American Cancer Society cellular phone towers are an unlikely cause of cancer. Cellular phones and cellular phone towers operate at the radiofrequency part of the electromagnetic spectrum. Similar frequencies include AM and FM radio waves, microwaves, and infrared waves from heat lamps. These waves contain relatively low energy and do not enter tissues. It has been found that public exposure near cell phone towers is not significantly different than other radiofrequency radiation in the surrounding areas. Other sources of radiofrequency radiation in urban area can come from radios and television broadcast stations⁷.

Cellular phone towers radiofrequency emissions are generally directed towards the horizon from the top of the tower. This result in exposure levels on the ground that is typically thousands of times below safety limits⁸. Therefore, the cellular phone towers mentioned by the commenter would not cause a significant health risk to the surrounding homes.

Response 71-50

The comment expresses an opinion about the conservation areas proposed under the project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project. Refer to Topical Response 3, Standards for Responses to Comments and Focus of Review of Commenters.

Response 71-51

The comment provides anecdotal information about nesting animals on the project site, but does not indicate any deficiency or question about the adequacy of the analysis or mitigation measures contained in the Draft EIR. This comment has been forwarded to the decision makers as part of the Final EIR for their consideration in reviewing the project.

⁷ http://www.cancer.org/docroot/PED/content/PED_1_3X_Cellular_Phone_Towers.asp

⁸ <http://www.fcc.gov/oet/rfsafety/rf-faqs.html#Q16>

Response 71-52

This comment contains general information about the commenter and expresses the commenter's preference for the hill to be preserved as open space, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. With respect to the commenter's preference that the site be left as open space, refer to Section VI, Alternatives to the Proposed Project, of the DEIR which includes the No Project Alternative which would result in the project not being constructed and existing conditions would remain. However, as discussed in Section VI of the DEIR, this alternative would not meet the basic objectives of the project. Also, refer to Topical Response 5, Alternatives. This comment has been forwarded to the decision makers as part of the Final EIR for their consideration in reviewing the project.

Response 71-53

Refer to Topical Response 2, Landslides and Slope Instability.

Response 71-54

Regarding the commenter's concerns about debris, etc. entering into drainage ditches, refer to Topical Response 9, Erosion Impacts.

Response 71-55

The comment provides anecdotal information about wildlife species being observed in the vicinity of the project site and expresses concern about the affect the project will have on wildlife movement. With respect to the project's impact on common wildlife species, refer to Response to Comment 8-3. With respect to wildlife movement, in accordance with Appendix G of the *CEQA Guidelines*, the EIR analyzes impacts related to this topic. A detailed assessment of potential wildlife movement opportunities on the project site is provided on page IV.C-13 of the DEIR. The proposed project will not interfere with wildlife movement, as wildlife will continue to move through the project site following development as they currently do throughout adjacent residential developments. As discussed in the Draft EIR, a corridor is defined as habitat which connects at least two significant habitat areas or large core areas; the project site does not serve this function and therefore is not considered to be a corridor. Due to considerable residential and commercial development within and surrounding and the project site, including a network of houses and busy roadways surrounding the site, the project site does not provide viable linkages or migration corridors between habitat areas. To the extent that small and fragmented patches of remnant habitats occur within the project site, they have become virtual islands of habitat and provide limited opportunity for wildlife movement. Although some species may occasionally disperse through or forage on-site, the fragmented areas of natural habitats are altered by regular disturbance from surrounding developments. However, such movement is sporadic and very unlikely to result in a significant linkage of the site to core habitat areas. Therefore, the project site does not act as a true wildlife corridor, movement pathway, or linkage of note between larger habitat areas for terrestrial wildlife.

Response 71-56

Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction.

Response 71-57

Regarding the commenter's concerns associated with potential health risks, refer to Section IV.A, Air Quality, of the DEIR and Topical Response 1, Air Quality Impacts and Health Risk During Construction.

Response 71-58

Refer to Section IV.I, Transportation/Traffic, of the DEIR for an analysis of the project's operational traffic impacts which were all found to be less than significant with the exception of road widths and road grades which were found to be **significant** but can be reduced to less-than-significant levels via implementation of Mitigation Measures TRANS-3 and TRANS-4 on pages IV.I-23 and IV.I-24 of the DEIR, respectively.

Regarding construction traffic impacts, refer to Topical Response 7, Construction Traffic Impacts. Also, pages IV.I-25 and IV.I-26 of the DEIR describe the amount of truck trips and associated traffic impacts that would occur during the project's construction phase. These impacts were found to be **potentially significant** but could be reduced to less-than-significant levels with the implementation of Mitigation Measure TRANS-6 on page IV.I-26 of the DEIR. Mitigation Measure TRANS-6 includes but is not limited to the following measures to ensure that construction traffic impacts and traffic safety impacts during construction would be less than significant:

- The haul route streets shall be limited to SR 92, West Hillsdale Drive, CSM Drive, Parrott Drive, Laurie Lane, and Bel Aire Road. That would minimize the number of residential streets used by trucks. Trucks shall not utilize Ascension Drive because of the existing traffic level and the steep grade.
- Construction activity shall be limited to the hours of 8:00 AM and 4:30 PM Monday through Friday. No activity or staging shall occur outside these hours.
- To minimize impacts to traffic and public safety, truck traffic for soil export from the project site shall be limited to between the hours of 10:00 AM and 3:00 PM.
- Loaded trucks shall be limited to a maximum speed of 20 mph when operating in residential areas.
- No staging of trucks or construction equipment shall occur within the adjacent residential area at any time.

- Temporary “truck crossing” signs shall be placed in both directions on Bel Aire Road near the site entrance. Flagmen shall be used, as necessary, to control traffic during the arrival and departure of trucks and equipment.
- Construction workers shall be required to park on-site, i.e., no parking on Bel Aire Road or Ascension Drive.

Response 71-59

This comment expresses an opinion about the project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 71-60

Refer to Topical Response 2, Landslides and Slope Instability, regarding the commenter’s concerns related to the stability of the soil and landslides in the project area.

Response 71-61

Regarding the commenter’s concerns about smog and pollution, refer to Section IV.B, Air Quality, of the DEIR and Topical Response 1, Air Quality Impacts and Health Risk During Construction.

Response 71-62

The comment identifies existing problems in the project area related to traffic, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. Refer to Topical Response 3, Standards for Responses to Comments and Focus of Review of Commenters. Refer to Topical Response 7, Construction Traffic Impacts, regarding construction traffic impacts and Section IV.I, Transportation/Traffic, of the DEIR regarding operational traffic impacts.

Response 71-63

Regarding traffic and pedestrian safety impacts, refer to Topical Response 7, Construction Traffic Impacts, regarding construction traffic impacts and Section IV.I, Transportation/Traffic, of the DEIR regarding operational traffic impacts. Also, refer to Response to Comment 63-1. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project.

Response 71-64

Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction. Regarding the commenter's recommendation that the DEIR be recirculated, refer to Topical Response 4, Recirculation of the DEIR.

Response 71-65

This comment contains general information about the commenter, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the DEIR. Refer to Topical Response 3, Standards for Responses to Comments and Focus of Review of Commenters. The comment will be forwarded to the decision-making bodies as part of the FEIR for their consideration in reviewing the project. Refer to Topical Response 1, Air Quality Impacts and Health Risk During Construction. Also, refer to Topical Response 7, Construction Traffic Impacts, and Response to Comment 71-58.

III. CORRECTIONS AND ADDITIONS TO THE DRAFT EIR

The following corrections have been made to the Ascension Heights Subdivision Project Draft Environmental Impact Report (DEIR) in response to the comments received during and after the public review period. Changes to the DEIR are listed by the corresponding DEIR section, subsection, if applicable, and page number. Additions to the DEIR are identified by underlined text, and deletions to the DEIR are identified by strikethrough text.

COVER

There are no changes to this page.

TITLE PAGE

There are no changes to this page.

I. INTRODUCTION

There are no changes to this section.

II. SUMMARY

Bullet number 1 of Mitigation Measure AQ-1, under “Construction Phase”, included in Table II-1 (Summary of Environmental Impacts & Mitigation Measures) on page II-8 of the DEIR has been revised as follows:

1. *Sprinkle water on all active construction areas at least twice daily and more often when conditions warrant.*

Bullet number 8 of Mitigation Measure AQ-1, under “Grading Equipment and Exhaust Mitigations”, included in Table II-1 (Summary of Environmental Impacts & Mitigation Measures) on page II-11 of the DEIR has been revised as follows:

8. *The County shall designate a Disturbance Coordinator responsible for ensuring that mitigation measures to reduce air quality impacts from construction are properly implemented. The Disturbance Coordinator shall be responsible for notifying adjacent land owners~~uses~~ of construction activities and schedule and shall provide a written list of the aforementioned dust control measures. The list shall identify a contact person that will respond to any complaints. A log shall be kept of all complaints and the actions taken to remedy any valid complaint as well as the response period.*

The following mitigation has been added to Mitigation Measure AQ-1 on page II-11 of the DEIR:

Naturally Occurring Asbestos

Additional soil samples at the project site shall be obtained and tested for the presence of naturally occurring asbestos by a state certified testing laboratory in accordance with requirements of the CARB and the BAAQMD and the results shall be provided to the County Planning and Building Department.

If naturally occurring asbestos is identified at the site, a site health and safety (H&S) plan including methods for control of airborne dust shall be prepared that shall control dust generating excavation and compaction of material containing naturally occurring asbestos. Methods to control naturally occurring asbestos dust shall include those indicated in OPR's CEQA and Asbestos: Addressing Naturally Occurring Asbestos in CEQA Documents, Appendix 2. These include:

- Water wetting and/or chemical sealant application
- Excavation only during calm periods
- Rinsing of vehicles and equipment
- Covering loads of excavated material
- Vegetative reclamation
- Asphalt cement paving

Mitigation Measure NOISE-1 (bullet numbers 1.c, 7 and 8) included in Table II-1 (Summary of Environmental Impacts & Mitigation Measures) on pages II-30 through II-32 of the DEIR has been revised as follows:

1. *The following measures shall be required to limit construction and related activities to the time of the day when the number of persons in the adjacent residential uses would be lowest:*
 - a. *Construction activity shall be limited to the hours of 8:00 AM and 4:30 PM Monday through Friday.*
 - b. *No machinery shall be cleaned past 6:00 PM or serviced past 6:45 PM, Monday through Friday.*
 - c. *To minimize impacts to traffic and public safety, ~~it is recommended~~ that truck traffic for soil export from the project site shall be limited to between the hours of 10:00 AM and 3:00 PM.*
 - d. *No construction shall be allowed on Sundays and holidays or without permission from the County.*

2. *Feasible noise controls to minimize equipment noise impacts on nearby sensitive receptors shall be implemented. Feasible noise controls include improved mufflers, use of intake silencers, ducts, engine enclosures, and acoustically-attenuating shields or shrouds.*
3. *Equipment used for project construction shall be hydraulically or electrically powered impact tools (e.g., jack hammers) wherever possible to avoid noise associated with compressed air exhaust from pneumatically-powered tools. Where use of pneumatically-powered tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used. A muffler could lower noise levels from the exhaust by up to about 10 dB(A). External jackets on the tools themselves shall be used where feasible; this could achieve a reduction of 5 dB(A). Quieter procedures shall be used (such as drilling rather than impact equipment) wherever feasible.*
4. *Construction equipment with internal combustion engines shall not be allowed to idle unnecessarily. All equipment should be turned off when not in use.*
5. *All stationary noise-generating construction equipment, such as air compressors, shall be located as far as practical from existing nearby residences and other noise-sensitive land uses. Such stationary equipment shall be acoustically-shielded.*
6. *Heavy equipment, such as paving and grading equipment, shall be stored on-site whenever possible to minimize the need for extra heavy truck trip on local, residential, streets.*
7. *The project applicant shall notify all residents within a 2,000-foot radius of the project of the project's estimated construction schedule. This notification shall include a description of the types of construction activities and their approximate duration.*
8. *A "noise disturbance coordinator" who would be responsible for responding to any local complaints about construction noise, shall be designated. This individual would most likely be the contractor or a contractor's representative. The disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.), if one is made, and shall require that reasonable measures warranted to correct the problem be implemented. A telephone number for the disturbance coordinator at the construction site shall be conspicuously posted and shall include the phone number in the notice sent to neighbors regarding the construction schedule.*

III. PROJECT DESCRIPTION

There are no changes to this section.

IV. ENVIRONMENTAL IMPACT ANALYSIS

IV.A. Aesthetics

There are no changes to this section.

IV.B. Air Quality

Bullet number 1 of Mitigation Measure AQ-1, under “Construction Phase”, included on page IV.B-21 of the DEIR has been revised as follows:

1. *Sprinkle water on all active construction areas at least twice daily and more often when conditions warrant.*

Bullet number 8 of Mitigation Measure AQ-1, under “Grading Equipment Exhaust Mitigations”, included on page IV.B-22 of the DEIR has been revised as follows:

8. *The County shall designate a Disturbance Coordinator responsible for ensuring that mitigation measures to reduce air quality impacts from construction are properly implemented. The Disturbance Coordinator shall be responsible for notifying adjacent land owners ~~uses~~ of construction activities and schedule and shall provide a written list of the aforementioned dust control measures. The list shall identify a contact person that will respond to any complaints. A log shall be kept of all complaints and the actions taken to remedy any valid complaint as well as the response period.*

The following mitigation has been added to Mitigation Measure AQ-1 on page IV.B-22 of the DEIR:

Naturally Occurring Asbestos

Additional soil samples at the project site shall be obtained and tested for the presence of naturally occurring asbestos by a state certified testing laboratory in accordance with requirements of the CARB and the BAAQMD and the results shall be provided to the County Planning and Building Department.

If naturally occurring asbestos is identified at the site, a site health and safety (H&S) plan including methods for control of airborne dust shall be prepared that shall control dust generating excavation and compaction of material containing naturally occurring asbestos. Methods to control naturally occurring asbestos dust shall include those indicated in OPR’s CEQA and Asbestos: Addressing Naturally Occurring Asbestos in CEQA Documents, Appendix 2. These include:

- Water wetting and/or chemical sealant application
- Excavation only during calm periods

- Rinsing of vehicles and equipment
- Covering loads of excavated material
- Vegetative reclamation
- Asphalt cement paving

IV.C. Biological Resources

There are no changes to this section.

IV.D. Geology & Soils

There are no changes to this section.

IV.E. Hydrology & Water Quality

There are no changes to this section.

IV.F. Land Use & Planning

There are no changes to this section.

IV.G. Noise

Mitigation Measure NOISE-1 (bullet numbers 1.c, 7 and 8) included on pages IV.G-13 and IV.G-14 of the DEIR has been revised as follows:

Mitigation Measure NOISE-1

1. *The following measures shall be required to limit construction and related activities to the time of the day when the number of persons in the adjacent residential uses would be lowest:*
 - a. *Construction activity shall be limited to the hours of 8:00 AM and 4:30 PM Monday through Friday.*
 - b. *No machinery shall be cleaned past 6:00 PM or serviced past 6:45 PM, Monday through Friday.*
 - c. *To minimize impacts to traffic and public safety, ~~it is recommended that~~ truck traffic for soil export from the project site shall be limited to between the hours of 10:00 AM and 3:00 PM.*

- d. *No construction shall be allowed on Sundays and holidays or without permission from the County.*
2. *Feasible noise controls to minimize equipment noise impacts on nearby sensitive receptors shall be implemented. Feasible noise controls include improved mufflers, use of intake silencers, ducts, engine enclosures, and acoustically-attenuating shields or shrouds.*
3. *Equipment used for project construction shall be hydraulically or electrically powered impact tools (e.g., jack hammers) wherever possible to avoid noise associated with compressed air exhaust from pneumatically-powered tools. Where use of pneumatically-powered tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used. A muffler could lower noise levels from the exhaust by up to about 10 dB(A). External jackets on the tools themselves shall be used where feasible; this could achieve a reduction of 5 dB(A). Quieter procedures shall be used (such as drilling rather than impact equipment) wherever feasible.*
4. *Construction equipment with internal combustion engines shall not be allowed to idle unnecessarily. All equipment should be turned off when not in use.*
5. *All stationary noise-generating construction equipment, such as air compressors, shall be located as far as practical from existing nearby residences and other noise-sensitive land uses. Such stationary equipment shall be acoustically-shielded.*
6. *Heavy equipment, such as paving and grading equipment, shall be stored on-site whenever possible to minimize the need for extra heavy truck trip on local, residential, streets.*
7. *The project applicant shall notify all residents within a 2,000-foot radius of the project of the project's estimated construction schedule. This notification shall include a description of the types of construction activities and their approximate duration.*
8. *A "noise disturbance coordinator" who would be responsible for responding to any local complaints about construction noise, shall be designated. This individual would most likely be the contractor or a contractor's representative. The disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.), if one is made, and shall require that reasonable measures warranted to correct the problem be implemented. A telephone number for the disturbance coordinator at the construction site shall be conspicuously posted and shall include the phone number in the notice sent to neighbors regarding the construction schedule.*

IV.H. Public Services

There are no changes to this section.

IV.I. Transportation/Traffic

There are no changes to this section.

IV.J. Utilities & Service Systems

There are no changes to this section.

V. GENERAL IMPACT CATEGORIES

There are no changes to this section.

VI. ALTERNATIVES TO THE PROPOSED PROJECT

There are no changes to this section.

VII. PREPARERS OF THE EIR AND PERSONS CONSULTED

There are no changes to this section.

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IV. MITIGATION MONITORING PROGRAM

MITIGATION MONITORING PROGRAM PROCEDURES

Section 21081.6 of the Public Resources Code requires a Lead Agency to adopt a “reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment” (Mitigation Monitoring Program, §15097 of the CEQA Guidelines provides additional direction on mitigation monitoring or reporting). The County of San Mateo (the “County”) is the Lead Agency for the Ascension Heights Subdivision Project and is therefore responsible for enforcing and monitoring the mitigation measures in this Mitigation Monitoring Program (MMP).

An Environmental Impact Report (EIR) has been prepared to address the potential environmental impacts of the project. Where appropriate, this environmental document identified project design features or recommended mitigation measures to avoid or to mitigate potential impacts identified to a level where no significant impact on the environment would occur. This MMP is designed to monitor implementation of the required and recommended mitigation measures and conditions set forth for project approval for the Ascension Heights Subdivision Project as identified in the Draft Environmental Impact Report (DEIR) and the Final Environmental Impact Report (FEIR). The required and recommended mitigation measures as well as the conditions set forth for project approval are listed and categorized by either Section and/or impact area, with an accompanying identification of the following:

- Monitoring Phase, the phase of the project during which the mitigation measure shall be monitored:
 - Pre-Construction, including the design phase
 - Construction
 - Occupancy (post-construction)
- Implementing Party, the party responsible for implementing the mitigation measure.
- The Enforcement Agency, the agency with the power to enforce the mitigation measure.
- The Monitoring Agency, the agency to which reports involving feasibility, compliance, implementation and development are made.

The MMP for Ascension Heights Subdivision Project will be in place throughout all phases of the project. The project applicant shall be responsible for implementing all mitigation measures unless otherwise noted. The applicant shall also be obligated to provide certification, as identified below to the appropriate monitoring agency and the appropriate enforcement agency that compliance with the required mitigation measure has been implemented. The County will be used as the basic foundation for the MMP procedures and will also serve to provide the documentation for the reporting program.

Generally, each certification report will be submitted to the County in a timely manner following completion/implementation of the applicable mitigation measure and shall include sufficient information to reasonably determine whether the intent of the measure has been satisfied. The County shall assure that project construction occurs in accordance with the MMP. Departments listed below are all departments of the County unless otherwise noted.

AESTHETICS

Required Mitigation Measures

AES-1 Substantially Damage Scenic Resources

- In addition to the required site Conservation Easements, Tree Replacement Program and Tree Mitigation and Monitoring Plan (refer to Section IV.C, Biological Resources; Mitigation Measures BIO-2a, 2b and 2c), off-site visual impacts shall be considered during the development of the designated Tree Replacement Program and Tree Mitigation and Monitoring Plan, where landscaping shall be designed by the Applicant's arborist in coordination with the County Planning and Building Director to buffer on-site development (i.e., residential and roadway uses), as well as to assist with screening of the light and glare of the proposed lights from off-site surrounding viewsheds. Depending on the time of day and year, the new non-deciduous trees could result in temporary shadows in the immediate downhill project vicinity as the trees and vegetation mature.
- To the extent feasible, trees and shrubs shall be selected to aid in the screening of structures from off-site. Native landscaping species shall be used in the landscaping plan. However, non-native, fast growing trees and shrubs could be used within building areas to promote interim screening.
- To the extent possible, environmental conditions shall be maintained to sustain native species. Particular attention shall be given to utilize xeric landscaping and to retain or plant native landscape buffers at key visual access points.
- A detailed landscape and irrigation plan for general subdivision and common areas anticipated to be landscaped shall be submitted for County review, prior to approval of the Final Map.

Monitoring Phase

Pre-Construction/Construction/Operation

Implementing Party

Applicant/Contractor/Home Owner's Association

Enforcement Agency

Planning and Building Department

Monitoring Agency

Planning and Building Department

AES-3 New Source of Substantial Light or Glare

- Reflective glass or other glaring materials shall be discouraged. The exterior of the proposed building shall be constructed of non-reflective materials such as, but not limited to: high-performance tinted non-reflective glass, metal panel, and pre-cast concrete or cast in-place or fabricated wall surfaces. The proposed materials will be reviewed and approved by the Planning and Building Director prior to approval of the Final Map.

- Where streetlights or outdoor area lighting is proposed, the lighting shall be of a low-intensity variety. Residential lighting would be kept to a minimum to meet safety standards, reduce light and glare. Lighting paths, entranceways, and outdoor living areas shall be directed downward to reduce nuisance to adjacent properties. Selection of specific lighting standards for the development would be based on minimizing ambient light.
- In addition to Mitigation Measure AES-1, tree planting shall be required along the internal roadways and within the project site where effective at softening the effects of light and glare from cars and structures.

Monitoring Phase

Pre-Construction/Construction/Operation

Implementing Party

Applicant/Contractor/Home Owner's Association

Enforcement Agency

Planning and Building Department

Monitoring Agency

Planning and Building Department

AIR QUALITY**Required Mitigation Measures*****AQ-1 Construction/Demolition Emissions****Construction Phase*

Under BAAQMD CEQA Guidelines, implementation of the mitigation measures listed below is required during demolition, grading, and construction of the proposed project. These mitigation measures shall be implemented for all areas (both on-site and off-site) where construction activities would occur.

1. Sprinkle water on all active construction areas at least twice daily and more often when conditions warrant.
2. Cover all trucks hauling soil, sand and other loose materials or require all trucks to maintain at least two feet of freeboard.
3. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
4. Sweep daily all paved access roads, parking areas, and staging areas at construction sites.
5. Sweep streets daily if visible soil material is carried onto adjacent public streets.
6. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas.
7. Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).

8. Limit traffic speeds on unpaved roads to 15 miles per hour.
9. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
10. Replant vegetation in disturbed areas as quickly as possible.
11. Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site.
12. Suspend grading activities when winds exceed 25 miles per hour and visible dust clouds cannot be prevented from extending beyond active construction areas. Given wind conditions at the site, winds exceeding 25 miles per hour can be expected from time to time, so periods of suspended construction activity can be expected.
13. Limit the area subject to excavation, grading and other construction activity at any one time.

Grading Equipment Exhaust Mitigations

Construction equipment generates diesel exhaust, which is a known TAC that poses both a health and nuisance impact to nearby receptors. NO_x from equipment exhaust contributes to regional O₃ formation. Though not required under the BAAQMD CEQA Guidelines, the control measures listed below should be implemented during the grading phase of the project to minimize diesel TAC and NO_x emissions.

1. Opacity is often an excellent indicator of exhaust particulate emissions from off-road diesel powered equipment. The project shall ensure that emissions from all construction diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately.
2. Where possible, to control TACs and PM₁₀, use reformulated or alternative diesel fuels. For equipment with engines built in 1994 or later, consider using B80 or B100 fuel, (80 percent or 100 percent biodiesel fuel). B100 reduces TAC emissions by approximately 80 percent to 90 percent. In pre-1994 engines, use B-20 fuel, (a mixture of 20 percent biodiesel and 80 percent fossil diesel fuel). If B20 is used, the fossil diesel component should be CARB low-sulfur fuel (less than 15 ppmw). Other fuels include synthetic diesel fuel and aqueous diesel fuel.
3. If a certified unit is available for an individual piece of equipment, the contractor shall utilize an oxidation catalyst or catalytic particulate filter on all diesel powered equipment rated above 50 horsepower. These systems require CARB low-sulfur diesel fuel. Commercial fossil diesel fuel is available with near-zero sulfur levels. Biodiesel is also CARB certified as low-sulfur (near-zero ppmw).
4. Where possible, the contractor shall use Purinox additive or equivalent. Depending on equipment, this reduces emissions of both NO_x and PM₁₀ by 20 percent to 40 percent.

5. The contractor shall install temporary electrical service whenever possible to avoid need for independently powered equipment (e.g., compressors).
6. Diesel equipment standing idle for more than five minutes shall be turned off. This would include trucks waiting to deliver or receive soil, aggregate, or other bulk materials. Rotating drum concrete trucks could keep their engines running continuously as long as they were on-site.
7. Properly tune and maintain equipment for low emissions.
8. The County shall designate a Disturbance Coordinator responsible for ensuring that mitigation measures to reduce air quality impacts from construction are properly implemented. The Disturbance Coordinator shall be responsible for notifying adjacent land owners of construction activities and schedule and shall provide a written list of the aforementioned dust control measures. The list shall identify a contact person that will respond to any complaints. A log shall be kept of all complaints and the actions taken to remedy any valid complaint as well as the response period.

Naturally Occurring Asbestos

Additional soil samples at the project site shall be obtained and tested for the presence of naturally occurring asbestos by a state certified testing laboratory in accordance with requirements of the CARB and the BAAQMD and the results shall be provided to the County Planning and Building Department.

If naturally occurring asbestos is identified at the site, a site health and safety (H&S) plan including methods for control of airborne dust shall be prepared that shall control dust generating excavation and compaction of material containing naturally occurring asbestos. Methods to control naturally occurring asbestos dust shall include those indicated in OPR's CEQA and Asbestos: Addressing Naturally Occurring Asbestos in CEQA Documents, Appendix 2. These include:

- Water wetting and/or chemical sealant application
- Excavation only during calm periods
- Rinsing of vehicles and equipment
- Covering loads of excavated material
- Vegetative reclamation
- Asphalt cement paving

Monitoring Phase
Implementing Party
Enforcement Agency
Monitoring Agency

Construction
Applicant/Contractor
BAAQMD
Planning and Building Department

BIOLOGICAL RESOURCES

Required Mitigation Measures

BIO-1

BIO-1a Special-Status Plant Species

To avoid substantial adverse affects to special-status plants as a result of project construction, a focused survey shall be conducted in late February or March to determine the presence or absence of special-status plants within the project site. The surveys shall be conducted by a qualified biologist and will follow survey protocols acknowledged by the CNPS, CDFG, and USFWS.^{1,2,3} A qualified biologist is an individual who possesses the following qualifications: (1) experience conducting floristic field surveys; (2) knowledge of plant taxonomy and plant community ecology; (3) familiarity with the plants of the area, including rare, threatened, and endangered species; (4) familiarity with the appropriate state and federal statutes related to plants and plant collecting; and (5) experience with analyzing impacts of development on native plant species communities.

Following the completion of the surveys, a survey results report shall be prepared and provided to the County. This report shall be a condition of project approvals and shall include, but shall not be limited to, the following: (1) a description of the survey methods; (2) a discussion of the survey results; and (3) a map showing the development area and the location of any special-status plants encountered.

If no special-status plants are encountered in the development area, no further mitigation would be required, unless additional measures are required by the resource and regulatory agencies as a condition of their permit approvals. However, if special-status plant species are encountered, a Mitigation Program shall be prepared by the qualified biologist and shall include measures such as revising the proposed development plans to allow for avoidance and protection of the on-site population, providing permanent protection of an existing on- or off-site population of the species in the region at a 2:1 acreage ratio, or

¹ California Native Plant Society (CNPS). 2001. CNPS botanical survey guidelines. Pages 38-40 in California Native Plant Society's inventory of rare and endangered vascular plants of California (D.P. Tibor, editor). Sixth edition. Special Publication No. 1, California Native Plant Society, Sacramento, 387 pp.

² California Department of Fish and Game (CDFG). 2000. Guidelines for assessing the effects of proposed projects on rare, threatened, and endangered plants and natural communities. (Revision of 1983 guidelines.) Sacramento, California, 2 pp.

³ U.S. Fish and Wildlife Service (USFWS). 1996a. Guidelines for conducting and reporting botanical inventories for federally listed, proposed, and candidate plants. Sacramento, California, 2 pp.

transplanting the individuals (or, if annuals, collecting and storing seeds) to permanent preserved habitat on- or off-site at a 1:1 acreage ratio. The Mitigation Program shall also outline measures to ensure the protection and management of the population prior to, during, and following project construction if the population will be avoided, including a mechanism to ensure permanent protection of the population from development (e.g., conservation easement) and/or, if applicable, measures for transplanting or protecting, managing, and monitoring the population on- or off-site.

Monitoring Phase

Pre-construction/Construction

Implementing Party

Applicant/Botanist/Contractor

Enforcement Agency

Planning Services Division/CDFG/USFWS

Monitoring Agency

Planning and Building Department

BIO-1b Special-Status Wildlife Species

The project applicant shall redesign the portion of the proposed project that would be developed in proximity to the existing population of summer lupine to avoid removal of the plant species. Prior to finalizing project site plans, the Applicant shall provide a detailed map of summer lupine occurrences within the project site. This map will be reviewed in order to determine if any changes to the project design are necessary to avoid removal of the butterfly host plant. Such changes to be considered shall include, but are limited to, any one or combination of the following:

- Move all or a portion of the southwestern lot lines for Lots 22 and 23 to not include the summer lupine.
- Relocate the proposed drainage infrastructure that would cross through the location of the summer lupine further up the slope or to such a location that would avoid removal of the summer lupine.
- Relocate the proposed trail that would cross through the location of the summer lupine further up the slope or to such a location that would avoid removal of the summer lupine.
- Relocate the proposed Emergency Vehicle Access (EVA) road to avoid removal of the summer lupine.
- The project applicant shall include MBB larval host plant species of lupine in the conservation easement on the project site.
- Prior to issuance of a grading permit by the County of San Mateo, the project Applicant shall consult with USFWS to ensure that project implementation will not result in a “take” of the MBB. Mitigation Measures listed above could meet some or all of USFWS’s permit requirements. However, if avoidance of lupine is not possible, it is possible that USFWS will need to issue an incidental take authorization and/or require additional mitigation such as a financial contribution to an existing habitat conservation plan for the MBB, placing a conservation easement over preserved

portions of the project site where the lupine is being avoided, or some other conservation plan to protect the viability of the species and its habitat.

| | |
|---------------------------|---|
| Monitoring Phase | Pre-construction/Construction/Operation |
| Implementing Party | Applicant/Biologist/Contractor/Homeowner's Association |
| Enforcement Agency | Public Works/ Planning and Building Department/CDFG/USFWS |
| Monitoring Agency | Planning and Building Department |

BIO-1c Birds

To avoid impacting nesting birds and/or raptors, **one** of the following must be implemented:

- Conduct vegetation removal and other ground disturbance activities associated with construction during September through March, when birds are not nesting;

- OR -

- Conduct pre-construction surveys for nesting birds if construction is to take place during the nesting season. A qualified wildlife biologist shall conduct a pre-construction raptor survey no more than 30 days prior to initiation of grading to provide confirmation on presence or absence of active nests in the vicinity (at least 300 feet around the project site). If active nests are encountered, species-specific measures shall be prepared by a qualified biologist in consultation with the CDFG and implemented to prevent abandonment of the active nest. At a minimum, grading in the vicinity of the nest shall be deferred until the young birds have fledged. A minimum exclusion buffer of 25 feet is required by CDFG for songbird nests, and 200 to 500 feet for raptor nests, depending on the species and location. The perimeter of the nest-setback zone shall be fenced or adequately demarcated with staked flagging at 20-foot intervals, and construction personnel restricted from the area. A survey report by the qualified biologist verifying that the young have fledged shall be submitted to the County prior to initiation of grading in the nest-setback zone.

| | |
|---------------------------|--|
| Monitoring Phase | Pre-construction/Construction/Operation |
| Implementing Party | Applicant/Biologist/Contractor/Homeowner's Association |
| Enforcement Agency | Planning and Building Department/CDFG |
| Monitoring Agency | Planning and Building Department |

BIO-1d Mammals

To avoid impacting breeding or hibernating bats, tree and snag removal shall occur in September and October, after the bat breeding season and before the bat hibernation season. If snag and tree removal is to take place outside of this time frame, a pre-construction bat survey shall be conducted. If no roosting bats are found during the survey, no further mitigation would be required. If bats are detected, a 50-foot

buffer exclusion zone shall be established around each occupied snag or tree until the roosting activities have ceased.

Monitoring Phase

Pre-construction/Construction

Implementing Party

Applicant/Biologist/Contractor

Enforcement Agency

Planning and Building Department /CDFG

Monitoring Agency

Planning and Building Department

BIO-2**BIO-2a** *Tree Removal*

Prior to project implementation, the project Applicant shall retain a certified arborist or other qualified professional (approved by the County of San Mateo) to prepare an application for a Significant and/or Heritage Tree Removal Permit. The arborist shall verify and update tree survey data collected in August 2003 in order to confirm the accuracy of tree's size (circumference), tree health, and other pertinent data collected within the project site. Based on the updated tree survey data and an overlay of current project development plans on the map of existing trees for the project site, the Applicant's arborist shall provide a map and census of trees to be removed by the proposed project that will accompany the tree removal application. The Applicant's arborist shall also prepare a Tree Replacement Plan and determine the appropriate tree replacement ratio in coordination with the County Planning and Building Director.

Monitoring Phase

Pre-construction

Implementing Party

Applicant/Biologist/Contractor

Enforcement Agency

Planning and Building Department

Monitoring Agency

Planning and Building Department

BIO-2b *Indirect Effects to Preserved Trees*

Prior to commencement of construction activities, a certified arborist or other County-approved professional shall review the final project plans to determine the potential for damage to occur to any trees that are not proposed for removal. If the arborist determines that any Significant and/or Heritage tree would be adversely affected by the project either through immediate damage or through damage that affects the long-term health of the tree eventually causing disease or death, the project applicant shall replace these identified trees on or near the project site in compliance with the County's tree replacement requirements; the appropriate tree replacement ratio will be determined in coordination with the County Planning and Building Director. The following measures shall be implemented to avoid and/or minimize for potential indirect impacts to preserved trees before, during, and following construction activities.

Pre-Construction

- Fencing: Protective fencing at least 3 feet high with signs and flagging shall be erected around all preserved trees located adjacent to proposed vegetation clearing and grubbing, grading, or other construction activities. The protective fence shall be installed at a minimum of 5 feet beyond the tree canopy dripline. The intent of protection fencing is to prevent inadvertent limb/vegetation damage, root damage and/or compaction by construction equipment. The protective fencing shall be depicted on all construction plans and maps provided to contractors and labeled clearly to prohibit entry, and the placement of the fence in the field shall be approved by a qualified biologist prior to initiation of construction activities. The contractor shall maintain the fence to keep it upright, taut and aligned at all times. Fencing shall be removed only after all construction activities are completed.
- Pre-Construction Meeting: A pre-construction meeting shall be held between all site contractors and a registered consulting arborist and/or a qualified biologist. All site contractors and their employees shall provide written acknowledgement of their receiving sensitive natural community protection training. This training shall include, but shall not be limited to, the following information: (1) the location and marking of protected sensitive natural communities; (2) the necessity of preventing damage to these sensitive natural communities; and (3) a discussion of work practices that shall accomplish the purpose of mitigation measures.

During Construction

- Fence Monitoring: The protective fence shall be monitored weekly during construction activities to ensure that the fencing remains intact and functional, and that no encroachment has occurred into the protected natural community; any repairs to the fence or encroachment correction shall be conducted immediately.
- Equipment Operation and Storage: Contractors shall avoid using heavy equipment around the sensitive natural communities. Operating heavy machinery around the root zones of trees would increase soil compaction, which decreases soil aeration and, subsequently, reduces water penetration into the soil. All heavy equipment and vehicles shall, at minimum, stay out of the protected zones, unless where specifically approved in writing and under the supervision of a registered consulting arborist and/or a qualified biologist.
- Materials Storage and Disposal: Contractors shall not store or discard any construction materials within the fenced protected zones, and shall remove all foreign debris within these areas. However, the contractors shall leave the duff, mulch, chips, and leaves around the retained trees for water retention and nutrient supply. In addition, contractors shall avoid draining or leakage of equipment fluids near retained trees. Fluids such as gasoline, diesel, oils, hydraulics, brake and transmission fluids, paint, paint thinners, and glycol (anti-freeze) shall be disposed of properly. The contractors shall ensure that equipment be parked at least 50 feet, and that equipment/vehicle

refueling occur at least 100 feet, from fenced tree protection zones to avoid the possibility of leakage of equipment fluids into the soil.

- Grade Changes: Contractors shall ensure that grade changes, including adding fill, shall not be permitted within the fenced protected zone without special written authorization and under supervision by a registered consulting arborist and/or a qualified biologist. Lowering the grade within the fenced protected zones could necessitate cutting main support and feeder roots, thus jeopardizing the health and structural integrity of the tree(s). Adding soil, even temporarily, on top of the existing grade could compact the soil further, and decrease both water and air availability to the tree roots. Contractors shall ensure that grade changes made outside of the fenced protected zone shall not create conditions that allow water to pond.
- Trenching: Except where specifically approved in writing beforehand, all trenching shall be outside of the fenced tree protection zone. Roots primarily extend in a horizontal direction forming a support base to the tree similar to the base of a wineglass. Where trenching is necessary in areas that contain roots from retained trees, contractors shall use trenching techniques that include the use of either a root pruner (Dosko root pruner or equivalent) or an Air-Spade to limit root impacts. A registered consulting arborist shall ensure that all pruning cuts shall be clean and sharp, to minimize ripping, tearing, and fracturing of the root system. Root damage caused by backhoes, earthmovers, dozers, or graders is severe and may ultimately result in tree mortality. Use of both root pruning and Air-Spade equipment shall be accompanied only by hand tools to remove soil from trench locations. The trench shall be made no deeper than necessary.
- Erosion Control: Appropriate erosion control best management practices (BMPs) shall be implemented to protect preserved protected trees during and after project construction. Erosion control materials shall be certified as weed free.
- Inspection: A registered consulting arborist shall inspect the preserved trees adjacent to grading and construction activity on a monthly basis for the duration of the project. A report summarizing site conditions, observations, tree health, and recommendations for minimizing tree damage shall be submitted by the registered consulting arborist following each inspection.

Post-Construction

- Mulch: The contractors shall ensure that the natural duff layer under all trees adjacent to construction activities shall be maintained. This would stabilize soil temperatures in root zones, conserve soil moisture, and reduce erosion. The contractors shall ensure that the mulch be kept clear of the trunk base to avoid creating conditions favorable to the establishment and growth of decay causing fungal pathogens. Should it be necessary to add organic mulch beneath retained oak trees, packaged or commercial oak leaf mulch shall not be used as it may contain root fungus. Also, the use of redwood chips shall be avoided as certain inhibitive chemicals may be present in

the wood. Other wood chips and crushed walnut shells can be used, but the best mulch that provides a source of nutrients for the tree is its own leaf litter. Any added organic mulch added by the contractors shall be applied to a maximum depth of 4 inches where possible.

- **Watering Adjacent Plant Material:** All installed landscaping plants near the protected tree zones shall require moderate to low levels of water. The surrounding plants shall be watered infrequently with deep soaks and allowed to dry out in-between, rather than frequent light irrigation. The soil shall not be allowed to become saturated or stay continually wet, nor should drainage allow ponding of water. Irrigation spray shall not hit the trunk of any tree. The contractors shall maintain a 30-inch dry-zone around all tree trunks. An above ground micro-spray irrigation system shall be used in lieu of typical underground pop-up sprays.
- **Monitoring:** A registered consulting arborist shall inspect the trees preserved on the site adjacent to construction activities for a period of two years following the completion of construction. Monitoring visits shall be completed quarterly, totaling eight visits. Following each monitoring visit, a report summarizing site conditions, observations, tree health, and recommendations for promoting tree health shall be submitted to the County. Additionally, any tree mortality shall be noted and any tree dying during the two-year monitoring period shall be replaced at a minimum 2:1 ratio on-site in coordination with the County.

Monitoring Phase

Pre-construction/Construction/Operation

Implementing Party

Applicant/Biologist/Contractor

Enforcement Agency

Planning and Building Department

Monitoring Agency

Planning and Building Department

BIO-2c Oak Woodland

Mitigation for the approximately 2.8 acres of Coast Live Oak Woodland that would be removed by project construction shall be accomplished through **one** or **a combination of** the following mitigation options:

- **Establish Oak Woodland Conservation Easement:** Under California PRC §21083.4, mitigation for conversion of oak woodlands can be accomplished, in part, by conserving existing oak woodland habitat. For every acre of oak woodland impacted on the project site, one acre of the same oak woodland type shall be protected off-site in perpetuity through a conservation easement or fee title dedication, to be approved by the County and CDFG. The proposed open space areas would be protected under a permanent conservation easement or fee title dedication, to be approved by the County and CDFG, and implemented prior to project construction. The easement or agreement would specify that the oak woodland habitat is to remain in perpetuity, and shall specify the land management and maintenance practices designed to protect the habitat, shall include a baseline report documenting the existing habitat conditions (i.e., a tree survey conducted by a registered professional forester or a certified arborist), shall include a habitat

monitoring plan, shall include an oak woodland education program for project residents, shall designate the party responsible for all actions related to management and maintenance, and shall specify limitations and restrictions on land use (i.e., access, fencing, grazing, tree planting or pruning, response to catastrophic events such as wildfire or pest invasion).

- Plant Replacement Trees On-site and Prepare/Implement Mitigation and Monitoring Plan: Under California PRC §21083.4, mitigation for conversion of oak woodlands can be accomplished, in part, by planting an appropriate number of trees, including maintaining the plantings and replacing dead or diseased trees. Mitigation for the approximately 2.8 acres of oak woodland that would be removed by project construction shall be accomplished through planting replacement trees at a ratio to be determined in coordination with the County Planning and Building Director (refer to Mitigation Measure BIO-2a). As part of the proposed project, conservation areas will be set aside that to accommodate replacement tree plantings. These areas will be protected under a permanent conservation easement or fee title dedication, to be approved by the County and CDFG, and implemented prior to project construction. The easement or agreement shall specify that the oak woodland habitat is to remain in perpetuity, and shall specify the land management and maintenance practices designed to protect the habitat. It shall also specify limitations and restrictions on land use (i.e., access, fencing, grazing, tree planting or pruning, response to catastrophic events such as wildfire or pest invasion).

A Tree Mitigation and Monitoring Plan will be prepared by an arborist or other County-approved professional showing the species, size, spacing and location of plantings and the location and species of established vegetation. The plan shall be subject to approval by the County. The mitigation oaks shall be maintained for a period of no less than seven years from the date of planting, and replaced if mortality should occur during that seven-year period. Irrigation shall be required for the first five years following planting; the trees should be able to survive without irrigation for the last two years of the seven-year maintenance period. During the seven-year maintenance period, dead or dying trees shall be replaced with trees of the same species and size in order to achieve an 80 percent survival rate at the end of the seven-year period. If an 80 percent survival rate is not achieved at the end of the seven-year period, all dead or dying trees at that time shall be replaced.

The Tree Mitigation and Monitoring Plan shall identify who is responsible for maintaining and replacing trees during the maintenance period. The property owner or other party responsible for maintaining the replacement trees shall submit an annual report to the County on or before July 1st of each year documenting the condition of the trees and identifying which trees have been replaced or will need to be replaced. An agreement to maintain the replacement trees in accordance with the Tree Mitigation and Monitoring Plan shall be signed by the owner of the property on which the trees are located and by any other party who has been designated as responsible for maintaining the replacement trees and by the applicant if the trees are planted off the project site, and a security shall be provided to the County in an amount sufficient for the

County to maintain and potentially replace the trees for a seven-year period if the responsible party fails to do so. The security may be in the form of a letter of credit, certificate of deposit or other security as approved by the County. The amount of the security shall be determined by an estimate from a professional landscaper submitted by the property owner or the applicant for the cost of maintaining the trees and potentially replacing them over the seven-year maintenance period plus 10 percent to administer said maintenance and tree replacement contract or in an amount established by the County after professional consultation. During the seven-year maintenance period, if the responsible party fails to maintain the replacement trees as required herein, the County shall be authorized to use the security to fund replacing dead or dying trees or maintenance of the trees. At the end of the seven-year maintenance program, the certified arborist shall conduct an inspection of the replacement trees. If the required 80 percent survival rate has not been achieved, all dead or dying trees shall be replaced and any funds remaining in the security shall be forfeited. If the required 80 percent survival rate has been achieved, any funds remaining in the security shall be released.

Contribute to Oak Woodlands Conservation Funding: Contribute a fee to the California Wildlife Conservation Board's Oak Woodlands Conservation Fund or other mitigation fund established by the County using the following formula: [Fee = 1.0 x acres of impacted oak woodland x current land value]. All contributions to the state Oak Woodlands Conservation Fund or other mitigation fund shall specify that these moneys will be used to purchase mitigation oak woodlands in the County. An administration fee equal to 10 percent of the mitigation fee shall also be required to cover the County's costs associated with this option. The in-lieu fee shall be prorated for the development plans and collected at the time of project approval. The determination of appropriate fund contribution shall be approved by the County and CDFG, and shall be contributed, prior to the initiation of project construction.

Monitoring Phase

Pre-construction/Construction

Implementing Party

Applicant/Biologist/Contractor

Enforcement Agency

Planning and Building Department/CDFG

Monitoring Agency

Planning and Building Department

GEOLOGY & SOILS

Required Mitigation Measures

GEO-2 Landslides & Soil Instabilities

- The applicant shall retain a qualified engineering geologist to observe all excavations for evidence of weak zones, adverse bedding and joints, within bedrock. Weak zones can be identified by: (1) adversely oriented bedding, joints or shears, or (2) the presence of sheared clayey material typical of the melange matrix. Any weak zones shall be evaluated to determine whether they present a potential zone for future landsliding based on planned final site grades and appropriate mitigation shall be included. Additionally, such zones shall be protected from groundwater derived from

infiltrating rainfall, irrigation, and leaking pipes by installing appropriate subdrains and sloping surface grades.

- Where new fill slopes are planned on residential lots, the applicant shall retain a qualified engineering geologist to perform settlement and slope stability analyses to evaluate the static and seismic performance of the proposed sloped fill. Where encountered, the potential hazard posed by these conditions shall be evaluated from a standpoint of temporary and permanent slope stability. Also, the engineering geologist shall provide technical input and review surface and subsurface drainage plans and specifications for compliance with the geologist's recommendations.
- All unnecessary fill utilized during site grading shall be removed off-site after construction activities are completed.
- The applicant shall retain a qualified engineering geologist to provide technical input and review of the surface and subsurface drainage systems for the purpose of reducing the potential for adverse impacts, such as shallow and deep-seated landslides, on and adjacent to site. Common design issues that may required technical input include: (1) the location of surface and subsurface drainage alignments, especially within filled slopes, (2) selection of water discharge locations, (3) separation of surface and subsurface water collection pipes, (4) location of pipe cleanouts, and (5) recommendations for controlling groundwater flow through trench backfill.
- The site storm water drainage system (including individual systems for each residence) shall include redundancies to prevent discharge of uncontrolled runoff onto the site slopes in the event one or more components of the storm water system becomes clogged or otherwise incapacitated. Concentrated runoff shall not be allowed to flow over graded slopes or over areas of thick soil, colluvium or fill.

Monitoring Phase

Pre-Construction

Implementing Party

Applicant/Geologist

Enforcement Agency

Planning and Building Department

Monitoring Agency

Planning and Building Department

GEO-3 Soil Erosion or Loss of Topsoil

One or more of the following methods shall be incorporated into the final site grading plan, subject to approval by the County Planning and Building Director:

- Excavate and remove materials affected by erosion in areas where the topography allows a cut to daylight at acceptable inclinations.

- Excavate a key at the base of the slope or resistant rock in the erosion area. Rebuild the slope with compacted, drained, engineered fill over a geogrid to allow for slope reconstruction at a steep inclination.
- Construct structural retaining walls or terrace walls in the erosion areas. A wall can be constructed at the top of the eroded area and then trim the erosional features away from below the wall.

Additionally, all of the following measures shall be implemented:

- Permanent erosion control measures shall be placed on all slopes, including all slopes shall be hydroseeded.
- The project geotechnical consultant shall be involved in reviewing the final grading and drainage plans, as well as perform construction observation services during grading to ensure that erosion control mitigation measures are performed. Based on the results of design-level investigations, more aggressive permanent erosion control measures shall be evaluated to minimize surface runoff velocities and erosion potential. Additionally, a Storm Water Pollution Prevention Plan (SWPPP) shall be prepared with the grading plans to fulfill regulatory requirements.

Monitoring Phase

Pre-Construction/Construction

Implementing Party

Applicant/Geologist

Enforcement Agency

Planning and Building Department

Monitoring Agency

Planning and Building Department

GEO-4

To ensure the applicant's geotechnical consultant are given the opportunity to participate in the final design and construction phases of the project, the applicant's consultant (Registered Geotechnical Engineer and Registered Engineering Geologist) shall review and approve the final grading, drainage, and foundation plans and specifications. Also, upon completion of construction activities, the applicant's consultant shall provide a final statement indicating whether the work was performed in accordance with project plans and specifications, and the consultant's recommendations. All mitigations and final design recommendations will be reviewed and approved by the County prior to issuance of applicable permits and approval of the Final Map.

Monitoring Phase

Pre-Construction

Implementing Party

Applicant/Geologist

Enforcement Agency

Planning and Building Department

Monitoring Agency

Planning and Building Department

HYDROLOGY & WATER QUALITY

Required Mitigation Measures

HYDRO-1 Water Quality Standards

In accordance with the State of California's General Permit for Construction Activities (General Permit) the applicant shall prepare a SWPPP. The SWPPP shall comply with the requirements of the General Permit and be incorporated into the construction documents. The SWPPP would provide specific information regarding BMPs for both the construction and post-construction stormwater management that would be incorporated into the project. As part of the coverage under the General Permit the applicant would file a NOI with the SWRCB within 30 days prior to the start of construction.

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| Monitoring Phase | Pre-Construction |
| Implementing Party | Applicant/Engineer |
| Enforcement Agency | Planning and Building Department |
| Monitoring Agency | Public Works/Planning and Building Department |

HYDRO-4 Runoff Water

- The project applicant shall replace the existing 15-inch pipe that crosses Ascension Drive and Enchanted Way with a new 21-inch storm drain pipe; and
- The project applicant shall replace the existing 30-inch outfall that crosses Polhemus Road with a 36-inch pipe sloped at 2 percent.

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| Monitoring Phase | Construction |
| Implementing Party | Applicant |
| Enforcement Agency | Public Works/Planning and Building Department |
| Monitoring Agency | Public Works/Planning and Building Department |

NOISE

Required Mitigation Measures

NOISE-1 Temporary Increases in Noise (Construction Noise)

1. The following measures shall be required to limit construction and related activities to the time of the day when the number of persons in the adjacent residential uses would be lowest:
 - a. Construction activity shall be limited to the hours of 8:00 AM and 4:30 PM Monday through Friday.

- b. No machinery shall be cleaned past 6:00 PM or serviced past 6:45 PM, Monday through Friday.
 - c. To minimize impacts to traffic and public safety, truck traffic for soil export from the project site shall be limited to between the hours of 10:00 AM and 3:00 PM.
 - d. No construction shall be allowed on Sundays and holidays or without permission from the County.
2. Feasible noise controls to minimize equipment noise impacts on nearby sensitive receptors shall be implemented. Feasible noise controls include improved mufflers, use of intake silencers, ducts, engine enclosures, and acoustically-attenuating shields or shrouds.
 3. Equipment used for project construction shall be hydraulically or electrically powered impact tools (e.g., jack hammers) wherever possible to avoid noise associated with compressed air exhaust from pneumatically-powered tools. Where use of pneumatically-powered tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used. A muffler could lower noise levels from the exhaust by up to about 10 dB(A). External jackets on the tools themselves shall be used where feasible; this could achieve a reduction of 5 dB(A). Quieter procedures shall be used (such as drilling rather than impact equipment) wherever feasible.
 4. Construction equipment with internal combustion engines shall not be allowed to idle unnecessarily. All equipment should be turned off when not in use.
 5. All stationary noise-generating construction equipment, such as air compressors, shall be located as far as practical from existing nearby residences and other noise-sensitive land uses. Such stationary equipment shall be acoustically-shielded.
 6. Heavy equipment, such as paving and grading equipment, shall be stored on-site whenever possible to minimize the need for extra heavy truck trip on local, residential, streets.
 7. The project applicant shall notify all residents within a 2,000-foot radius of the project of the project's estimated construction schedule. This notification shall include a description of the types of construction activities and their approximate duration.
 8. A "noise disturbance coordinator" who would be responsible for responding to any local complaints about construction noise, shall be designated. This individual would most likely be the contractor or a contractor's representative. The disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.), if one is made, and shall require that reasonable measures warranted to correct the problem be implemented. A telephone number for the disturbance coordinator at the construction site shall be conspicuously posted and shall include the phone number in the notice sent to neighbors regarding the construction schedule.

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| Monitoring Phase | Construction |
| Implementing Party | Applicant/Contractor |
| Enforcement Agency | Planning and Building Department |
| Monitoring Agency | Planning and Building Department |

PUBLIC SERVICES

Required Mitigation Measures

PS-2

PS-2a Fire Services

Flagmen shall be utilized to facilitate the traffic flow until construction is complete, specifically if there are partial closures to streets surrounding the project site.

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| Monitoring Phase | Construction |
| Implementing Party | Applicant |
| Enforcement Agency | Planning and Building Department |
| Monitoring Agency | Public Works/Planning and Building Department |

PS-2b Fire Services

The project applicant shall submit building plans and plot plans to the County, San Mateo City Fire Department, and County of San Mateo Fire Department/CALFIRE to provide appropriate fire hazard management recommendations for inclusion as project conditions of approval. Recommendations may include, but not be limited to, the following:

- Pro-active fire prevention measures pertaining to property maintenance, vegetation management, and building construction using non-combustible materials in accordance with the Wildland Urban Interface Building Standards, to be evaluated by the County upon submittal of detailed building plans; and

The San Mateo City Fire Department recommends that all homes have fire sprinkler systems and hydrants with 4.5" x 2" x 2.5" outlets spaced at 300 feet, with roads a minimum of 26 feet wide. These specifications shall be included in building plans and confirmed by the County Building Department.

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| Monitoring Phase | Pre-Construction/Construction |
| Implementing Party | Applicant/Contractor |
| Enforcement Agency | Planning and Building Department |
| Monitoring Agency | Planning and Building Department |

PS-2c Fire Services

Prior to the issuance of grading permits, the County shall review the project's phasing plans to determine when the EVA road shall be installed in relationship to the development of on-site homes. The EVA improvements shall be included in the corresponding Final Map improvement plans, as reviewed by the County. In addition, the EVA road shall be designed to adhere to County and County of San Mateo Fire Department/CALFIRE standards/guidelines, as shown below:

- Parking shall be restricted to one side where the project road is less than 30 feet.
- A driveway with a hammerhead/T turnaround to serve Lot 11 (flag lot) shall be provided. The top of the "T" shall be 70 feet in length. Alternatively, a 20-foot wide driveway with a hammerhead/T turnaround to serve both Lot 10 and Lot 11 (flag lots) shall be provided. The top of the "T" shall be 70 feet in length.
- The San Mateo County Fire Department/CALFIRE shall require a plan and profile of the all roads within the project, including the primary and secondary access roads and all roads, dead end driveways and fire turnarounds within the subdivision.
- At building permit submittal, San Mateo County Fire Department/CALFIRE shall require a report of findings justifying the greater than 15 percent slope throughout the project as specified by County Ordinance and a request for exemption.

Monitoring Phase

Pre-Construction/Construction

Implementing Party

Applicant/Contractor

Enforcement Agency

Planning and Building Department

Monitoring Agency

Planning and Building Department

TRANSPORTATION/TRAFFIC**Required Mitigation Measures****TRANS-3 Site Access**

The new private main access road is planned to be 32 feet in width in most areas and 22 feet in width at the east side of the project. Given the grades and curves, this width is inadequate to allow parking on both sides. Therefore, parking shall be allowed on one side of the road along all 32-foot segments. Additionally, parking shall not be allowed on the 22-foot wide section.

Monitoring Phase

Construction

Implementing Party

Applicant

Enforcement Agency

Public Works/Planning and Building Department

Monitoring Agency

Public Works/Planning and Building Department

TRANS-6 Construction

- The haul route streets shall be limited to SR 92, West Hillsdale Drive, CSM Drive, Parrott Drive, Laurie Lane, and Bel Aire Road. That would minimize the number of residential streets used by trucks. Trucks shall not utilize Ascension Drive because of the existing traffic level and the steep grade.
- Construction activity shall be limited to the hours of 8:00 AM and 4:30 PM Monday through Friday. No activity or staging shall occur outside these hours.
- To minimize impacts to traffic and public safety, truck traffic for soil export from the project site shall be limited to between the hours of 10:00 AM and 3:00 PM.
- Loaded trucks shall be limited to a maximum speed of 20 mph when operating in residential areas.
- No staging of trucks or construction equipment shall occur within the adjacent residential area at any time.
- Temporary “truck crossing” signs shall be placed in both directions on Bel Aire Road near the site entrance. Flagmen shall be used, as necessary, to control traffic during the arrival and departure of trucks and equipment.
- Construction workers shall be required to park on-site, i.e., no parking on Bel Aire Road or Ascension Drive.
- If construction or haul trucks driving to and/or from the project site cause any substantial damage to private driveways in the immediate vicinity of the project site, such damage shall be repaired by, or paid for by, the project applicant.
- As a condition of the grading permit required of the project applicant by the County, the applicant shall be responsible for the repair of any damage to roads resulting from the export of soil from the project site. Such repair shall be to the satisfaction of the San Mateo County Department of Public Works.

Monitoring Phase

Pre-Construction/Construction

Implementing Party

Applicant

Enforcement Agency

Public Works/Planning and Building Department

Monitoring Agency

Public Works/Planning and Building Department

UTILITIES & SERVICE SYSTEMS**Required Mitigation Measures*****UTIL-1***

The applicant shall mitigate the project-generated increase in sewer flow such that there is a "zero net increase" in flow during wet weather events, by reducing the amount of existing Inflow and Infiltration (INI) into the CSCSD sewer system. This shall be achieved through the construction of improvements to impacted areas of the sewer system, with construction plans subject to CSCSD approval. Construction of improvements, as approved by the CSCSD, shall be completed prior to the start of the construction of the residences.

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| Monitoring Phase | Operation/Construction |
| Implementing Party | Applicant/Contractor/Ground Water Consultant |
| Enforcement Agency | Planning and Building Department |
| Monitoring Agency | Planning and Building Department |

UTIL-3 Solid Waste Disposal

The applicant shall prepare and submit a facility recycling program for the collection and loading of recyclable materials prepared in response to the California Solid Waste Reuse and Recycling Access Act of 1991 as described by the CIWMB, Model Ordinance, Relating to Areas for Collecting and Loading Recyclable Materials in Development Projects, March 31, 1993. Adequate space or enclosures for recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

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| Monitoring Phase | Operation |
| Implementing Party | Applicant |
| Enforcement Agency | Environmental Health Services/Planning and Building Department |
| Monitoring Agency | Planning and Building Department |

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